

2013 No. 3112 (L. 24)

SENIOR COURTS OF ENGLAND AND WALES

COUNTY COURTS, ENGLAND AND WALES

The Civil Procedure (Amendment No.8) Rules 2013

Made - - - - - *6th December 2013*

Laid before Parliament *10th December 2013*

Coming into force - - - *1st January 2014*

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(a) to make rules of court under section 1 of that Act, after consulting in accordance with section 2(6)(a) of that Act, makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Civil Procedure (Amendment No.8) Rules 2013, and come into force on 1st January 2014.

Amendments to the Civil Procedure Rules 1998

2. For rule 26.11 of the Civil Procedure Rules 1998 and the words in parentheses(b), substitute—

“Trial with a Jury

26.11.—(1) An application for a claim, other than a claim for libel and slander, to be tried with a jury must be made within 28 days of service of the defence.

(2) A claim for libel or slander must be tried by Judge alone, unless at the first case management conference a party applies for trial with a jury and the court makes an order to that effect.”

The Right Honourable Lord Dyson, MR
Stephen Richards, LJ
Philip Sales, J
Master Barbara Fontaine
District Judge Christopher Lethem
Nicholas Bacon QC
William Featherby QC

(a) 1997 c.12. Section 2(1) was substituted by the Constitutional Reform Act 2005 (c.4), section 15 and Schedule 4 Part 1. Section 1(3) was substituted by section 82(1) of the Courts Act 2003 (c.39) and further amended by the Constitutional Reform Act 2005 sections 15, 146, Schedule 4 Part 1 paragraphs 261 and 262 and Schedule 18, Part 2.

(b) S.I. 1998/3132. Rule 26.11 was inserted by S.I. 2000/2092.

Edward Pepperall QC
Tim Lett

I allow these Rules
Signed by authority of the Lord Chancellor

Shailesh Vara
Parliamentary Under Secretary of State
Ministry of Justice

6th December 2013

EXPLANATORY NOTE

(This note is not part of the Order)

These Rules replace rule 26.11 of the Civil Procedure Rules 1998 (CPR), which relates to applications for claims to be tried with a jury. The existing provision in rule 26.11 requiring such an application to be made within 28 days of service of the defence is replaced, for claims for libel or slander, with provision that trial is to be by Judge alone unless an application for trial by jury is made at the first case management conference and the court orders trial by jury. The existing position is preserved (in paragraph (1) of the new rule 26.11) for claims other than claims for libel and slander.

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