
STATUTORY INSTRUMENTS

2006 No. 3435

The Civil Procedure (Amendment No.3) Rules 2006

Amendment to the Civil Procedure Rules 1998

4. In Part 14—

- (a) for the heading in rule 14.1, substitute “Admissions made after commencement of proceedings”;
- (b) for rule 14.1(5), substitute “The permission of the court is required to amend or withdraw an admission.”; and
- (c) after rule 14.1, insert—

“Admissions made before commencement of proceedings

14.1A.—(1) A person may, by giving notice in writing, admit the truth of the whole or any part of another party’s case before commencement of proceedings (a ‘pre-action admission’).

(2) Paragraphs (3) to (5) of this rule apply to a pre-action admission made in the types of proceedings listed at paragraph 1.1(2) of the Practice Direction to this Part if one of the following conditions is met—

- (a) it is made after the party making it has received a letter of claim in accordance with the relevant pre-action protocol; or
 - (b) it is made before such letter of claim has been received, but it is stated to be made under Part 14.
- (3) A person may, by giving notice in writing, withdraw a pre-action admission—
- (a) before commencement of proceedings, if the person to whom the admission was made agrees;
 - (b) after commencement of proceedings, if all parties to the proceedings consent or with the permission of the court.
- (4) After commencement of proceedings—
- (a) any party may apply for judgment on the pre-action admission; and
 - (b) the party who made the pre-action admission may apply to withdraw it.
- (5) An application to withdraw a pre-action admission or to enter judgment on such an admission—
- (a) must be made in accordance with Part 23;
 - (b) may be made as a cross-application.”.