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STATUTORY INSTRUMENTS

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**1998 No. 3132**

The Civil Procedure Rules 1998

PART 13

SETTING ASIDE OR VARYING DEFAULT JUDGMENT

**Cases where the court may set aside or vary judgment entered under Part 12**

**13.3.**—(1) In any other case, the court may set aside<sup>(GL)</sup> or vary a judgment entered under Part 12 if—

- (a) the defendant has a real prospect of successfully defending the claim; or
- (b) it appears to the court that there is some other good reason why—
  - (i) the judgment should be set aside or varied; or
  - (ii) the defendant should be allowed to defend the claim.

(2) In considering whether to set aside<sup>(GL)</sup> or vary a judgment entered under Part 12, the matters to which the court must have regard include whether the person seeking to set aside the judgment made an application to do so promptly.

(Rule 3.1(3) provides that the court may attach conditions when it makes an order)

**F1**  
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**Textual Amendments**

- F1** Words in [rule 13.3](#) omitted (31.12.2020) by virtue of [The Civil Procedure Rules 1998 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/521\)](#), regs. 1(1), [7\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)
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**Commencement Information**

- I1** [Rule 13.3](#) in force at 26.4.1999, see [Signature](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 13.3.