
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 13

SETTING ASIDE OR VARYING DEFAULT JUDGMENT

Application to set aside or vary judgment—procedure

13.4.—(1) Where—

- (a) the claim is for a specified amount of money;
- (b) the judgment was obtained in a court which is not the defendant's home court;
- (c) the claim has not been transferred to another defendant's home court under rule 14.12 (admission—determination of rate of payment by judge) or rule 26.2 (automatic transfer); and
- (d) the defendant is an individual,

the court will transfer an application by a defendant under this Part to set aside^(GL) or vary judgment to the defendant's home court.

(Rule 2.3 explains which court is a defendant's home court)

(2) Paragraph (1) does not apply where the claim was commenced in a specialist list.

(3) An application under rule 13.3 (cases where the court may set aside^(GL) or vary judgment) must be supported by evidence.