

---

STATUTORY INSTRUMENTS

---

**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 15**

**DEFENCE AND REPLY**

**The period for filing a defence**

**15.4.**—(1) The general rule is that the period for filing a defence is—

- (a) 14 days after service of the particulars of claim; or
- (b) if the defendant files an acknowledgment of service under Part 10, 28 days after service of the particulars of claim.

(Rule 7.4 provides for the particulars of claim to be contained in or served with the claim form or served within 14 days of service of the claim form)

(2) The general rule is subject to the following rules—

- (a) RSC Order 11 r.1B (which specifies how the period for filing a defence is calculated where the claim form is served out of the jurisdiction);
- (b) rule 11 (which provides that, where the defendant makes an application disputing the court's jurisdiction, he need not file a defence before the hearing);
- (c) rule 24.4(2) (which provides that, if the claimant applies for summary judgment before the defendant has filed a defence, the defendant need not file a defence before the summary judgment hearing); and
- (d) rule 6.16(4) (which requires the court to specify the period for responding to the particulars of claim when it makes an order under that rule).