Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 3

## Default judgment

- **59.7.**—(1) Part 12 applies to mercantile claims, except that rules 12.10 and 12.11 apply as modified by paragraphs (2) and (3) of this rule.
  - (2) If, in a Part 7 claim—
    - (a) the claim form has been served but no particulars of claim have been served; and
    - (b) the defendant has failed to file an acknowledgment of service,

the claimant must make an application if he wishes to obtain a default judgment.

(3) The application may be made without notice, but the court may direct it to be served on the defendant.