
STATUTORY INSTRUMENTS

2012 No. 2208

The Civil Procedure (Amendment No.2) Rules 2012

Amendments to the Civil Procedure Rules 1998

3. In Part 26, after rule 26.3(7), before the words in parentheses, insert—

“(8) Where a party does not file an allocation questionnaire by the date specified, the court will make such order as it considers appropriate, including—

- (a) an order for directions;
- (b) an order striking out the claim;
- (c) an order striking out the defence and entering judgment; or
- (d) listing the case for a case management conference.

(9) Where a claim is a designated money claim issued in Northampton County Court, the claim will be transferred to the claimant’s preferred court or the defendant’s home court as appropriate and the court to which it is transferred will make an order pursuant to rule 26.3(8).

(10) Where an order has been made under rule 26.3(8), a party who was in default will not normally be entitled to an order for the costs of any application to set aside or vary that order nor of attending any case management conference and will, unless the court thinks it unjust to do so, be ordered to pay the costs that the default caused to any party who was not in default.”.