

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 55

POSSESSION CLAIMS

I—GENERAL RULES

[^{F1}Scope

55.2.—(1) The procedure set out in this Section of this Part must be used where the claim includes—

- (a) a possession claim brought by a—
 - (i) landlord (or former landlord);
 - (ii) mortgagee; or
 - (iii) licensor (or former licensor);
- (b) a possession claim against trespassers; or
- (c) a claim by a tenant seeking relief from forfeiture.

[^{F2}(Where a demotion claim or a suspension claim (or both) is made in the same claim form in which a possession claim is started, this Section of this Part applies as modified by rule 65.12. Where the claim is a demotion claim or a suspension claim only, or a suspension claim made in addition to a demotion claim, Section III of Part 65 applies).]

(2) This Section of this Part

- (a) is subject to any enactment or practice direction which sets out special provisions with regard to any particular category of claim; ^{F3}...
- (b) does not apply where the claimant uses the procedure set out in Section II of this Part [^{F4}; and
- (c) does not apply where the claimant seeks an interim possession order under Section III of this Part except where the court orders otherwise or that Section so provides]

^{F5} ...]

Textual Amendments

- F1** Pt. 55 inserted (15.10.2001) by [The Civil Procedure \(Amendment\) Rules 2001 \(S.I. 2001/256\)](#), rule 1(d), [Sch. 1](#) (with rule 31)
- F2** Words in rule 55.2(1) substituted (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005 \(S.I. 2005/2292\)](#), rules 1(c), [43](#)
- F3** Word in rule 55.2(2)(a) omitted (2.12.2002) by virtue of [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rules 1(b), [22\(b\)\(i\)](#)

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 55.2. (See end of Document for details)

- F4** Rule 55.2(2)(c) and word inserted (2.12.2002) by The Civil Procedure (Amendment) Rules 2002 (S.I. 2002/2058), rules 1(b), **22(b)(ii)**
- F5** Words in rule 55.2(2) omitted (2.12.2002) by virtue of The Civil Procedure (Amendment) Rules 2002 (S.I. 2002/2058), rules 1(b), **22(b)(iii)**

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 55.2.