

PRACTICE DIRECTION – COMMERCIAL COURT

THIS PRACTICE DIRECTION SUPPLEMENTS PART 58

GENERAL

- 1.1 This practice direction applies to commercial claims proceeding in the commercial list of the Queen’s Bench Division. It supersedes all previous practice directions and practice statements in the Commercial Court.
- 1.2 All proceedings in the commercial list, including any appeal from a judgment, order or decision of a master or district judge before the proceedings were transferred to the Commercial Court, will be heard or determined by a Commercial Court judge, except that –
 - (1) another judge of the Queen’s Bench Division or Chancery Division may hear urgent applications if no Commercial Court judge is available; and
 - (2) unless the court otherwise orders, any application relating to the enforcement of a Commercial Court judgment or order for the payment of money will be dealt with by a master of the Queen’s Bench Division or a district judge.
- 1.3 Provisions in other practice directions which refer to a master or district judge are to be read, in relation to claims in the commercial list, as if they referred to a Commercial Court judge.
- 1.4 The Admiralty and Commercial Registry in the Royal Courts of Justice is the administrative office of the court for all proceedings in the commercial list.

STARTING PROCEEDINGS IN THE COMMERCIAL COURT

- 2.1 Claims in the Commercial Court must be issued in the Admiralty and Commercial Registry.
- 2.2 When the Registry is closed, a request to issue a claim form may be made by fax, using the procedure set out in Appendix A to this practice direction. If a request is made which complies with that procedure, the claim form is issued when the fax is received by the Registry.
- 2.3 The claim form must be marked in the top right hand corner ‘Queen’s Bench Division, Commercial Court’.
- 2.4 A claimant starting proceedings in the commercial list, other than an arbitration claim, must use practice form N1(CC) for Part 7 claims or practice form N208(CC) for Part 8 claims.

APPLICATIONS BEFORE PROCEEDINGS ARE ISSUED

- 3.1 A party who intends to bring a claim in the commercial list must make any application before the claim form is issued to a Commercial Court judge.

- 3.2 The written evidence in support of such an application must state that the claimant intends to bring proceedings in the commercial list.
- 3.3 If the Commercial Court judge hearing the application considers that the proceedings should not be brought in the commercial list, he may adjourn the application to be heard by a master or by a judge who is not a Commercial Court judge.

TRANSFERRING PROCEEDINGS TO OR FROM THE COMMERCIAL COURT

- 4.1 If an application is made to a court other than the Commercial Court to transfer proceedings to the commercial list, the other court may –
 - (1) adjourn the application to be heard by a Commercial Court judge; or
 - (2) dismiss the application.
- 4.2 If the Commercial Court orders proceedings to be transferred to the commercial list –
 - (1) it will order them to be transferred to the Royal Courts of Justice; and
 - (2) it may give case management directions.
- 4.3 An application by a defendant, including a Part 20 defendant, for an order transferring proceedings from the commercial list should be made promptly and normally not later than the first case management conference.
- 4.4 A party applying to the Commercial Court to transfer a claim to the commercial list must give notice of the application to the court in which the claim is proceeding, and the Commercial Court will not make an order for transfer until it is satisfied that such notice has been given.

ACKNOWLEDGMENT OF SERVICE

- 5.1 For Part 7 claims, a defendant must file an acknowledgment of service using practice form N9 (CC).
- 5.2 For Part 8 claims, a defendant must file an acknowledgment of service using practice form N210 (CC).

DEFAULT JUDGMENT AND ADMISSIONS

6. The practice directions supplementing Parts 12 and 14 apply with the following modifications –
 - (1) paragraph 4.1(1) of the practice direction supplementing Part 12 is to be read as referring to the service of the claim form; and
 - (2) the references to ‘particulars of claim’ in paragraphs 2.1, 3.1 and 3.2 of the practice direction supplementing Part 14 are to be read as referring to the claim form.

VARIATION OF TIME LIMITS

- 7.1 If the parties, in accordance with rule 2.11, agree in writing to vary a time limit, the claimant must notify the court in writing, giving brief written reasons for the agreed variation.
- 7.2 The court may make an order overriding an agreement by the parties varying a time limit.

AMENDMENTS

8. Paragraph 2.2 of the practice direction supplementing Part 17 is modified so that amendments to a statement of case must show the original text, unless the court orders otherwise.

SERVICE OF DOCUMENTS

9. Unless the court orders otherwise, the Commercial Court will not serve documents or orders and service must be effected by the parties.

CASE MANAGEMENT

- 10.1 The following parts only of the practice direction supplementing Part 29 apply –
 - (1) paragraph 5 (case management conferences), excluding paragraph 5.9 and modified so far as is made necessary by other specific provisions of this practice direction; and
 - (2) paragraph 7 (failure to comply with case management directions).
- 10.2 If the proceedings are started in the commercial list, the claimant must apply for a case management conference –
 - (a) for a Part 7 claim, within 14 days of the date when all defendants who intend to file and serve a defence have done so; and
 - (b) for a Part 8 claim, within 14 days of the date when all defendants who intend to serve evidence have done so.
- 10.3 If the proceedings are transferred to the commercial list, the claimant must apply for a case management conference within 14 days of the date of the order transferring them, unless the judge held, or gave directions for, a case management conference when he made the order transferring the proceedings.
- 10.4 Any party may, at a time earlier than that provided in paragraphs 10.2 or 10.3, apply in writing to the court to fix a case management conference.
- 10.5 If the claimant does not make an application in accordance with paragraphs 10.2 or 10.3, any other party may apply for a case management conference.

- 10.6 The court may fix a case management conference at any time on its own initiative. If it does so, the court will give at least 7 days notice to the parties, unless there are compelling reasons for a shorter period of notice.
- 10.7 Not less than 7 days before a case management conference, each party must file and serve –
- (1) a completed case management information sheet; and
 - (2) an application notice for any order which that party intends to seek at the case management conference, other than directions referred to in the case management information sheet.
- 10.8 Unless the court orders otherwise, the claimant, in consultation with the other parties, must prepare –
- (1) a case memorandum, containing a short and uncontroversial summary of what the case is about and of its material case history;
 - (2) a list of issues, with a section listing important matters which are not in dispute; and
 - (3) a case management bundle containing –
 - (a) the claim form;
 - (b) all statements of case (excluding schedules), except that, if a summary of a statement of case has been filed, the bundle should contain the summary, and not the full statement of case;
 - (c) the case memorandum;
 - (d) the list of issues;
 - (e) the case management information sheets and, if a pre-trial timetable has been agreed or ordered, that timetable;
 - (f) the principal orders of the court; and
 - (g) any agreement in writing made by the parties as to disclosure, and provide copies of the case management bundle for the court and the other parties at least 7 days before the first case management conference or any earlier hearing at which the court may give case management directions.
- 10.9 The claimant, in consultation with the other parties, must revise and update the documents referred to in paragraph 10.8 appropriately as the case proceeds. This must include making all necessary revisions and additions at least 7 days before any subsequent hearing at which the court may give case management directions.

PRE-TRIAL REVIEW

- 11.1 At any pre-trial review or case management hearing, the court will ensure that case management directions have been complied with and give any further directions for the trial that are necessary.

- 11.2 Advocates who are to represent the parties at the trial should represent them at the pre-trial review and any case management hearing at which arrangements for the trial are to be discussed.
- 11.3 Before the pre-trial review, the parties must discuss and, if possible, agree a draft written timetable for the trial.
- 11.4 The claimant must file a copy of the draft timetable for the trial at least two days before the hearing of the pre-trial review. Any parts of the timetable which are not agreed must be identified and short explanations of the disagreement must be given.
- 11.5 At the pre-trial review, the court will set a timetable for the trial, unless a timetable has already been fixed or the court considers that it would be inappropriate to do so or appropriate to do so at a later time.

CASE MANAGEMENT WHERE THERE IS A PART 20 CLAIM

- 12. Paragraph 5 of the practice direction supplementing Part 20 applies, except that, unless the court otherwise orders, the court will give case management directions for Part 20 claims at the same case management conferences as it gives directions for the main claim.

EVIDENCE FOR APPLICATIONS

- 13.1 The general requirement is that, unless the court orders otherwise –
 - (1) evidence in support of an application must be filed and served with the application (see rule 23.7(3));
 - (2) evidence in answer must be filed and served within 14 days after the application is served; and
 - (3) evidence in reply must be filed and served within 7 days of the service of evidence in answer.
- 13.2 In any case in which the application is likely to require an oral hearing of more than half a day the periods set out in paragraphs 13.1(2) and (3) will be 28 days and 14 days respectively.
- 13.3 If the date fixed for the hearing of an application means that the times in paragraphs 13.1(2) and (3) cannot both be achieved, the evidence must be filed and served –
 - (1) as soon as possible; and
 - (2) in sufficient time to ensure that the application may fairly proceed on the date fixed.
- 13.4 The parties may, in accordance with rule 2.11, agree different periods from those in paragraphs 13.1(2) and (3) provided that the agreement does not affect the date fixed for the hearing of the application.

JUDGMENTS AND ORDERS

- 14.1 An application for a consent order must include a draft of the proposed order signed on behalf of all parties to whom it relates (see paragraph 10.4 of the practice direction supplementing Part 23).
- 14.2 Judgments and orders are generally drawn up by the parties (see rule 58.15). The parties are not therefore required to supply draft orders on disk (see paragraph 12.1 of the practice direction supplementing Part 23).

APPENDIX A

PROCEDURE FOR ISSUE OF CLAIM FORM WHEN REGISTRY IS CLOSED – PARAGRAPH 2.2

1. A request to issue a claim form may be made by fax when the Registry is closed, provided that –
 - (a) the claim form is signed by a solicitor acting on behalf of the claimant; and
 - (b) it does not require the permission of the court for its issue (unless such permission has already been given).
2. The solicitor requesting the issue of the claim form (‘the issuing solicitor’) must –
 - (a) endorse on the claim form and sign the endorsement set out below;
 - (b) send a copy of the claim form so endorsed to the Registry by fax for issue under paragraph 2.2 of this practice direction; and
 - (c) complete and sign a certificate in the form set out below, certifying that he has received a transmission report confirming that the fax has been transmitted in full, and stating the time and date of transmission.
3. When the Registry is next open to the public after the issue of a claim form in accordance with this procedure, the issuing solicitor or his agent must attend and deliver to the Registry –
 - (a) the original of the claim form which was sent by fax (including the endorsement and the certificate) or, if the claim form has been served, a true and certified copy of it;
 - (b) as many copies of the claim form as the Registry requires; and
 - (c) the transmission report.
4. When a court officer at the Registry has checked that –
 - (a) the claim form delivered under paragraph 3 matches the claim form received by fax; and
 - (b) the correct issue fee has been paid,

he will allocate a number to the case, and seal, mark as ‘original’ and date the claim form with the date of issue (being the date when the fax is recorded at the Registry as having been received).
5. If the issuing solicitor has served the unsealed claim form on any person, he must as soon as practicable –
 - (a) inform that person of the case number; and
 - (b) if requested, serve him with a copy of the sealed and dated claim form at any address in England and Wales.

6. Any person served with a claim form issued under this procedure may, without paying a fee, inspect and take copies of the documents lodged at the Registry under paragraphs 2 and 3 above.
7. The issue of a claim form in accordance with this procedure takes place when the fax is recorded at the Registry as having been received, and the claim form has the same effect for all purposes as a claim form issued under Part 7 or 8. Unless the court otherwise orders, the sealed version of the claim form retained by the Registry is conclusive proof that the claim form was issued at the time and on the date stated.
8. If the procedure set out in this Appendix is not complied with, the court may declare that a claim form shall be treated as not having been issued.

Endorsement

A claim form issued pursuant to a request by fax must be endorsed as follows:

- (1) This claim form is issued under paragraph 2.2 of the Commercial Court practice direction and may be served notwithstanding that it does not bear the seal of the Court.
- (2) A true copy of this claim form and endorsement has been sent to the Admiralty and Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL, at the time and date certified below by the solicitor whose name appears below ('the issuing solicitor').
- (3) It is the duty of the issuing solicitor or his agent to attend at the Registry when it is next open to the public for the claim form to be sealed.
- (4) Any person served with this unsealed claim form –
 - (a) will be notified by the issuing solicitor of the case number;
 - (b) may require the issuing solicitor to serve him with a copy of the sealed claim form at an address in England and Wales; and
 - (c) may inspect without charge the documents lodged at the Registry by the issuing solicitor.
- (5) I, the issuing solicitor, undertake [to the Court, to the defendants named in this claim form, and to any other person served with this claim form] –
 - (a) that the statement in paragraph 2 above is correct;
 - (b) that the time and date given in the certificate with this endorsement are correct;
 - (c) that this claim form is a claim form which may be issued under paragraph 2.2 and Appendix A of the Commercial Court practice direction;

- (d) that I will comply in all respects with the requirements of Appendix A of the Commercial Court practice direction; and
- (e) that I will indemnify any person served with the claim form before it is sealed against any loss suffered as a result of the claim form being or becoming invalid as a result of any failure to comply with Appendix A of the Commercial Court practice direction.

(Signed)

Solicitor for the claimant'

[**Note:** the endorsement may be signed in the name of the firm of solicitors rather than an individual solicitor, or by solicitors' agents in their capacity as agents acting on behalf of their professional clients.]

Certificate

The issuing solicitor must sign a certificate in the following form –

I certify that I have received a transmission report confirming that the transmission of a copy of this claim form to the Registry by fax was fully completed and that the time and date of transmission to the Registry were *[enter the time and date shown on the transmission report]*.

Dated

(Signed)

Solicitor for the claimant'

[**Note:** the certificate must be signed in the name of the firm of solicitors rather than an individual solicitor, or by solicitors' agents in their capacity as agents acting on behalf of their professional clients.]



Claim Form

**In the High Court of Justice
Queen's Bench Division
Commercial Court
Royal Courts of Justice**

	<i>for court use only</i>
Claim No.	
Issue date	

Claimant(s)



Defendant(s)

Name and address of Defendant receiving this claim form

Amount claimed	
Court fee	
Solicitor's costs	
Total amount	

The court office at the Admiralty and Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL is open between 10 am and 4.30 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

N1(CC) Claim form (CPR Part 7) (03.02)

Claim No.	
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Brief details of claim

Particulars of claim (*attached)(*will follow if an acknowledgment of service is filed that indicates an intention to defend the claim)

Statement of Truth

*(I believe)(The Claimant believes) that the facts stated in this claim form *(and the particulars of the claim attached to this claim form) are true.

* I am duly authorised by the claimant to sign this statement

Full name _____

Name of *(claimant)(’s solicitor’s firm) _____

signed _____ position or office held _____

*(Claimant)(’s solicitor) (if signing on behalf of firm, company or corporation)

**delete as appropriate*

Claimant’s or solicitor’s address to which documents or payments should be sent if different from overleaf including (if appropriate) details of DX, fax or e-mail.

Notes for defendant on replying to the Part 7 claim form (Commercial Court)

Please read these notes carefully - they will help you decide what to do about this claim.
Further information may be obtained from the **Admiralty and Commercial Court Guide**

Your response and what happens next

- In every case you should file the Acknowledgment of Service form N9(CC).
- Complete the acknowledgment of service within the time stated on it and send it to The Admiralty and Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL.
- If you do not file an acknowledgment of service, judgment may be entered against you. Additional costs and interest may be added to the amount claimed on the front of the claim form if judgment is entered against you.

Address where notices can be sent

- In the acknowledgment of service you must give an address to which notices and document relating to this claim must be sent. This must be an address in England or Wales.
- The address must be either your solicitor's address, you own residential or business address, or (if you live elsewhere) some other address. Any address given must be in England or Wales.
- If you fail to provide an address for service within England or Wales, your acknowledgment of service may be struck out and judgment may be entered against you.

Admitting the claim

If you admit the claim, send a written admission to the court with the acknowledgment of service.

Disputing the jurisdiction

If you wish to dispute the court's jurisdiction to try the claim you must:

- complete the acknowledgment of service form and send it to the court within *(14 days) ();
and
- make any application to contest the court's jurisdiction as soon as possible and in any event within 28 days after filing your acknowledgment of service

Disputing the claim

If you wish to dispute the claim you must:

- file an acknowledgment of service within *(14 days) (); and
- serve a defence within the period stated in the acknowledgment of service

**Claimant should alter as appropriate if the claim form is to be served out of the jurisdiction together with the particulars of claim - see CPR rule 6.20*

Acknowledgment of Service

Defendant's full name if different from the name given on the claim form

In the High Court of Justice Queen's Bench Division Commercial Court Royal Courts of Justice	
Claim No.	
Claimant(s) (including ref.)	
Defendant(s)	
Defendant returning this form	

Address in England or Wales to which documents about this claim should be sent (including reference if appropriate)

		if applicable	
		fax no.	
		DX no.	
Tel. no.	Postcode	e-mail	

Tick the appropriate box

1. (I admit)(The Defendant admits) this claim
2. (I intend)(The Defendant intends) to defend all of this claim
3. (I intend)(The Defendant intends) to defend part of this claim
4. (I intend)(The Defendant intends) to contest jurisdiction

If you file an acknowledgment of service but do not file a defence within *(28 days) (days) of the date of service of the particulars of claim, and you have not indicated that you intend to contest jurisdiction, judgment may be entered against you.

If you do not file an application to contest the jurisdiction within 28 days of the date of service of the acknowledgment of service, it will be assumed that you accept the court's jurisdiction.

**Claimant should alter as appropriate if the claim form is to be served out of the jurisdiction together with particulars of claim; see CPR rule 6.20*

Signed
(Defendant)(Defendant's solicitor)

Position or office held
(if signing on behalf of firm, company or corporation)

Date

N9(CC) Acknowledgment of service (03.02)



Claim Form (CPR Part 8)

**In the High Court of Justice
Queen's Bench Division
Commercial Court
Royal Courts of Justice**

	<i>for court use only</i>
Claim No.	
Issue date	

Claimant(s)



Defendant(s)

Name and Address of Defendant receiving this claim form

Court fee	
Solicitor's costs	

The court office at the Admiralty and Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL is open between 10 am and 4.30 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the case number.

N208(CC) Claim form (CPR Part 8) (03.02)

Claim No.	
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Details of claim

Statement of Truth

*(I believe)(The Claimant believes) that the facts stated in this claim form are true.

* I am duly authorised by the claimant to sign this statement

Full name _____

Name of *(claimant)(’s solicitor’s firm) _____

signed _____ position or office held _____

*(Claimant)(’s solicitor)

(if signing on behalf of firm, company or corporation)

**delete as appropriate*

Claimant’s or solicitor’s address to which documents or payments should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

Notes for defendant on replying to the Part 8 claim form

Please read these notes carefully - they will help you decide what to do about this claim.

Further information may be obtained from the Commercial Court Guide

- You have *(14 days) () from the date on which you were served with the claim form (*see below*) in which to respond to the claim by completing and returning the acknowledgment of service enclosed with this claim form.
- If you **do not return** the acknowledgment of service, you will be allowed to attend any hearing of the claim but you will **not** be allowed to take part in the hearing unless the court gives you permission to do so.

Responding to this claim

Time for responding

The completed acknowledgment of service must be returned to the court office within *(14 days) () of the date on which the claim form was served on you. If the claim form was

- sent by post, the *(14 days) () begins 2 days from the date of the postmark on the envelope.
- delivered or left at your address, the *(14 days) () begins the day after it was delivered.
- handed to you personally, the *(14 days) () begins on the day it was given to you.

Completing the acknowledgment of service

You should complete section A, B, or C as appropriate **and all** of section D.

Section A - contesting the claim

If you wish to contest the remedy sought by the claimant in the claim form, you should complete section A. If you seek a remedy different from that sought by the claimant, you should give full details in the space provided.

Section B - disputing the court's jurisdiction

You should indicate your intention by completing section B and filing an application disputing the court's jurisdiction within 14 days of filing your acknowledgment of service at the court. The court will arrange a hearing date for the application and tell you and the claimant when and where to attend.

Section C - objecting to the use of procedure

If you believe that the claimant should not have issued the claim under Part 8 because:

- there is a substantial dispute of fact involved and
- you do not agree that the rule or practice direction stated does provide for the claimant to use this procedure

you should complete section C setting out your reasons in the space provided.

Written evidence

- If you wish to serve and file evidence in answer to the claimant's written evidence, you must send it to the court and to any other party within 28 days after filing an acknowledgment of service.
- Where you intend to dispute jurisdiction, only evidence in support of your application under CPR Part 11 need be filed. Your application and evidence must be filed within 28 days after filing an acknowledgment of service.

Serving other parties

At the same time as you file your completed acknowledgment of service (and any written evidence) with the court, you must also send copies of both the form and any written evidence to any other party named on the claim form.

What happens next

The claimant may, within 14 days of receiving any written evidence from you, file further evidence in reply. The case management procedure set out in the Commercial Court Guide will apply.

Note: The court may already have given directions or arranged a hearing. If so, you will have received a copy with the claim form. You should comply with any directions and attend any hearing in addition to completing, filing and serving your acknowledgment of service.

Statement of truth

This must be signed by you or by your solicitor as appropriate.

Where the defendant is a registered company or a corporation the statement of truth must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or the company's solicitor or (in the case of a corporation which is not a registered company) any of the persons in the positions previously described or the mayor, chairman, president or town clerk or other similar officer of the corporation or the corporation's solicitor.

**claimant should alter where appropriate if the claim form is to be served out of the jurisdiction: see CPR Part 6.*

Acknowledgment of Service (Part 8 claim)

You should read the 'notes for defendant' attached to the claim form which will tell you when and where to send this form.

If you wish to contest the claim	If you wish to dispute the court's jurisdiction	If you believe the claimant should not have used this procedure
complete section A	complete section B	complete section C

In the	High Court of Justice Queen's Bench Division Commercial Court Royal Courts of Justice
Claim No.	
Claimant(s) (including ref.)	
Defendant(s)	
Defendant returning this form	

**delete as appropriate*

A

- *(I intend)(The defendant intends) to contest this claim
And (if applicable) *(I)(the defendant) also seek(s) the following different remedy to that claimed by the claimant:

B

- *(I intend)(The defendant intends) to dispute jurisdiction
(you should file your application within 28 days of the date on which you file this acknowledgment of service with the court)

The court office at the Admiralty & Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL is open between 10 am and 4.30 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

Claim No.	
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C

*(I object)(The defendant objects) to the claimant issuing under this procedure

***And** *(my)(the defendant's) reasons for objecting are:

D

Signed

(To be signed by you or by your solicitor)

*(I believe)(The defendant believes) that the facts stated in this form are true. *I am duly authorised by the defendant to sign this statement

**delete as appropriate*

Position or office held
(if signing on behalf of firm, company or corporation)

Full Name

Name of *(defendant) ('s solicitor's firm)

Date

Give an address to which notices about this case can be sent

Postcode

Tel. no.

if applicable	
fax no.	
DX no.	
e-mail	



Claim Form (Additional claims - CPR Part 20)

In the High Court of Justice
Queen's Bench Division
Commercial Court
Royal Courts of Justice

	<i>for court use only</i>
Claim No.	
Issue date	

Claimant(s)

SEAL

Defendant(s)

Part 20 Claimant(s)

Part 20 Defendant(s)

Name and address of Part 20 Defendant receiving this claim form

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Amount claimed	
Court fee	
Solicitor's costs	
Total amount	

The court office at the Admiralty and Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL is open between 10 am and 4.30 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

N211(CC) Claim Form (CPR Part 20) (03.02)

Claim No.	
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Brief details of claim

Note: Particulars of Claim must be attached

Statement of Truth

*(I believe)(The Part 20 Claimant believes) that the facts stated in this claim form and the particulars of claim attached to this claim form are true.

* I am duly authorised by the Part 20 claimant to sign this statement

Full name _____

Name of *(Part 20 claimant)(’s solicitor’s firm) _____

signed _____ position or office held _____

*(Part 20 Claimant)(’s solicitor)

(if signing on behalf of firm, company or corporation)

**delete as appropriate*

Part 20 Claimant’s or solicitor’s address to which documents or payments should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

Notes for Part 20 defendant on replying to the Part 20 claim form (Commercial Court)

Please read these notes carefully - they will help you decide what to do about this claim
Further information may be obtained from the **Admiralty and Commercial Court Guide**

You must reply to this claim form within *(14 days)() of the date it was served on you. If the claim was

- sent by post, the date of service is taken as the second day after posting (see post mark);
- delivered or left at your address, the date of service will be the day after it was delivered;
- handed to you personally, the *(14 days)() begins on the day it was given to you.

If you do not reply, the claimant may ask the court to enter judgment against you.

You may either

- admit all or part of the claim; or
- dispute the claim.

Address where notices can be sent

- In the acknowledgment of service you must give an address to which notices and document relating to this claim must be sent. This must be an address in England or Wales.
- The address must be either your solicitor's address, you own residential or business address, or (if you live elsewhere) some other address. Any address given must be in England or Wales.
- If you fail to provide an address for service within England or Wales, your acknowledgment of service may be struck out and judgment may be entered against you.

Admitting all or part of the claim

If you admit the claim, send a written admission to the court with the acknowledgment of service.

Disputing the jurisdiction

If you wish to dispute the court's jurisdiction to try the claim you must:

- complete the acknowledgment of service form and send it to the court within *(14 days) (); and
- make any application to contest the court's jurisdiction as soon as possible and in any event within 28 days after filing your acknowledgment of service

Disputing the claim

If you wish to dispute the claim you must:

- file an acknowledgment of service within *(14 days) (); and
- serve a defence within the period stated in the acknowledgment of service

**Claimant should alter as appropriate if the claim form is to be served out of the jurisdiction together with the particulars of claim - see CPR rule 6.20*

Acknowledgment of Service (Part 20 claim)

Defendant's full name if different from the name given on the claim form

Address in England or Wales to which documents about this claim should be sent (including reference if appropriate)

Postcode

if applicable	
fax no.	
DX no.	
e-mail	
Tel. no.	

If you file an acknowledgment of service but do not file a defence within *(28 days) () of the date of service of the particulars of claim (which will be contained in or served with Part 20 claim form) and you have not indicated that you intend to contest jurisdiction, judgment may be entered against you.

In the	High Court of Justice Queen's Bench Division Commercial Court Royal Courts of Justice
Claim No.	
Claimant(s) <small>(including ref.)</small>	
Defendant(s)	
Defendant returning this form	

If you do not file an application under CPR Part 11 within 28 days of the date of filing your acknowledgment of service it will be assumed that you accept the court's jurisdiction and judgment may be entered against you.

** Part 20 claimant should alter where appropriate (if the claim form is to be served out of the jurisdiction): see CPR Part 6*

Tick the appropriate box

- | | |
|--|---|
| 1. (I admit)(The Part 20 defendant admits) | <input type="checkbox"/> this claim |
| | <input type="checkbox"/> part of the claim (details attached) |
| 2. (I intend)(The Part 20 defendant intends) | <input type="checkbox"/> to defend all of the claim |
| | <input type="checkbox"/> to defend part of this claim |
| | <input type="checkbox"/> to contest jurisdiction |

Signed
(Part 20 defendant)
(Part 20 defendant's Solicitor)

Position or office held
(if signing on behalf of firm, company or corporation)

Date

The court office at the Admiralty and Commercial Registry, Royal Courts of Justice, Strand, London WC2A 2LL is open between 10am and 4.30pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

N213(CC) Acknowledgment of Service (CPR Part 20) (03.02)