

2006 No.

**SUPREME COURT OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES**

The Civil Procedure (Amendment No.2) Rules 2006

Made - - - - - ***

Laid before Parliament ***

Coming into force - - - 28th November 2006

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(a) to make rules of court under section 1 of that Act, after consulting in accordance with section 2(6)(a) of that Act, make the following Rules—

Citation, commencement and interpretation

1. These Rules may be cited as the Civil Procedure (Amendment No.2) Rules 2006 and shall come into force on 28th November 2006.

2. In these Rules a reference to a Part or rule by number alone means the Part or rule so numbered in the Civil Procedure Rules 1998(b).

Amendment to the Civil Procedure Rules 1998

3. In rule 5.4C—

(a) after rule 5.4C(1), insert—

“(1A) Where a non-party seeks to obtain a copy of a statement of case filed before 2nd October 2006—

(a) this rule does not apply; and

(b) the rules of court relating to access by a non-party to statements of case in force immediately before 2nd October 2006 apply as if they had not been revoked.

(The rules relating to access by a non-party to statements of case in force immediately before 2nd October 2006 were contained in the former rule 5.4(5) to 5.4(9). The Practice Direction to this Part sets out the relevant provisions as they applied to statements of case.).
”; and

(b) in rule 5.4C(4), in each place where it appears, for “that statement of case” substitute “a statement of case”.

*Sir Anthony Clarke, M.R.
John Dyson, L.J.
Rupert Jackson, J.*

(a) 1997 c. 12

(b) S.I. 1998/3132. There are relevant amendments in S.I. 2006/1689.

Stephen Oliver-Jones
Steven Whitaker
Richard Walford
Philip Rainey
David di Mambro
Juliet Herzog
Andrew Parker

I allow these Rules

Dated

C.

EXPLANATORY NOTE

(This note is not part of the Rules)

These rules amend rule 5.4C of the Civil Procedure Rules 1998 (S.I.1998/3132) to make provision about statements of case filed at court before 2nd October 2006.

The amendments come into force on 28th November 2006.