

## **Practice Direction CPR PD12**

**No. 5 of 2023**

### **Default Judgment**

This practice direction is made pursuant to rule 4.2(2) of the Supreme Court Civil Procedure Rules 2022 and supplements Part 12 of the Rules.

#### **1. Introduction**

1.1 This practice direction clarifies the application of rules 12.4 and 12.5 of the Rules.

1.2 In the circumstances where

- (i) the claimant does not enter judgment and 42 days have elapsed since the last date for filing a defence without a defence being filed; or
- (ii) a defence is filed after the claimant has made a request under rule 12.4

the court shall fix a status hearing and notify the parties of the date of that hearing.

1.3 Where there is uncertainty as to the application of any of the rules relating to the grant of default judgments, the matter must be referred to a registrar or a judge immediately.

1.4 At the status hearing the court will give case management directions for the future conduct of the claim and the timetable which will apply.

#### **2. Effective date**

2.1 This practice direction will come into effect on the 1<sup>st</sup> day of March 2023 and will be applicable to all claims issued on or after that date.



Sir Ian R. Winder

Chief Justice

27 February 2023