
STATUTORY INSTRUMENTS

2020 No. 582 (L. 13)

**SENIOR COURTS OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES**

**The Civil Procedure (Amendment
No. 2) (Coronavirus) Rules 2020**

<i>Made</i>	- - - -	<i>9th June 2020</i>
<i>Laid before Parliament</i>		<i>10th June 2020</i>
<i>Coming into force</i>	- -	<i>25th June 2020</i>

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(1) to make rules of court under section 1 of that Act, makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Civil Procedure (Amendment No. 2) (Coronavirus) Rules 2020 and come into force on 25th June 2020.

Amendment of the Procedure Rules 1998

2. In Part 55 of the Civil Procedure Rules 1998(2)—

- (a) at the end of the list of contents insert “Stay of possession proceedings, coronavirus Rule 55.29”; and
- (b) after rule 55.28 insert—

“Stay of possession proceedings, coronavirus

55.29.—(1) Subject to paragraph (2), all possession proceedings brought under this Part and all enforcement proceedings by way of writ or warrant of possession that are—

- (a) stayed immediately prior to this rule coming into force; or

(1) 1997 c.12. Section 2(1) was substituted by the Constitutional Reform Act 2005 (c.4), section 15 and Schedule 4 Part 1. Section 1(3) was substituted by section 82(1) of the Courts Act 2003 (c.39) and further amended by the Constitutional Reform Act 2005 sections 15, 146, Schedule 4 Part 1 and Schedule 18, Part 2.

(2) S.I. 1998/3132. Part 55 was inserted by S.I. 2001/256. There are other amending instruments but none is relevant.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) brought after this rule comes into force and on or before 22nd August 2020,
are stayed until 23rd August 2020.
- (2) Paragraph (1) does not apply to—
- (a) a claim against trespassers to which rule 55.6 applies;
 - (b) proceedings under Section III of this Part;
 - (c) an application for case management directions that are agreed by all the parties; or
 - (d) a claim for injunctive relief.
- (3) Paragraph (1) does not prevent the bringing of a claim notwithstanding that it may be stayed.
- (4) For the purposes of the application of any rule to any proceedings that are stayed by paragraph (1)—
- (a) time does not run; and
 - (b) no notice is required to be given by the court. ”.

*The Right Honourable Sir Terence Etherton, MR
Lord Justice Coulson
Mr Justice Birss
His Honour Judge Jarman QC
Master Cook
District Judge Cohen
Dr Anja Lansbergen-Mills
Richard Viney
Brett Dixon
David Marshall*

I allow these Rules

9th June 2020

Robert Buckland
Lord Chancellor
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Civil Procedure Rules 1998 (S.I. 1998/3132) to insert a new, temporary, rule which provides that possession proceedings and enforcement proceedings by way of writ and warrant for possession are stayed until 23rd August 2020. This applies to proceedings that were stayed immediately prior to the new rule coming into force or that are brought after the new rule comes into force and on or before 22nd August 2020.

The new rule further provides that (i) a claim may be brought notwithstanding that it may be stayed; and (ii) for the purposes of the application of the Civil Procedure Rules 1998 to proceedings that are stayed by the new rule, time does not run and the court is not required to give any notice.

As this is temporary, emergency legislation, no formal impact assessment is required for Better Regulation purposes.