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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**PART 27**

**THE SMALL CLAIMS TRACK**

**Preliminary hearing**

- 27.6.**—(1) The court may hold a preliminary hearing for the consideration of the claim, but only—
- (a) where—
    - (i) it considers that special directions, as defined in rule 27.4, are needed to ensure a fair hearing; and
    - (ii) it appears necessary for a party to attend at court to ensure that he understands what he must do to comply with the special directions; or
  - (b) to enable it to dispose of the claim on the basis that one or other of the parties has no real prospect of success at a final hearing; or
  - (c) to enable it to strike out<sup>(GL)</sup> a statement of case or part of a statement of case on the basis that the statement of case, or the part to be struck out, discloses no reasonable grounds for bringing or defending the claim.
- (2) When considering whether or not to hold a preliminary hearing, the court must have regard to the desirability of limiting the expense to the parties of attending court.
- (3) Where the court decides to hold a preliminary hearing, it will give the parties at least 14 days' notice of the date of the hearing.
- (4) The court may treat the preliminary hearing as the final hearing of the claim if all the parties agree.
- (5) At or after the preliminary hearing the court will—
- (a) fix the date of the final hearing (if it has not been fixed already) and give the parties at least 21 days' notice of the date fixed unless the parties agree to accept less notice;
  - (b) inform them of the amount of time allowed for the final hearing; and
  - (c) give any appropriate directions.