

SCHEDULE 1

Matters relevant to question of whether an additional claim should be separate from the claim

20.9.—(1) This rule applies where the court is considering whether to—

- (a) permit an additional claim to be made;
- (b) dismiss an additional claim; or
- (c) require an additional claim to be dealt with separately from the claim by the claimant against the defendant.

(Rule 3.1(2)(e) and (j) deal respectively with the court's power to order that part of proceedings be dealt with as separate proceedings and to decide the order in which issues are to be tried).

(2) The matters to which the court may have regard include—

- (a) the connection between the additional claim and the claim made by the claimant against the defendant;
- (b) whether the additional claimant is seeking substantially the same remedy which some other party is claiming from him; and
- (c) whether the additional claimant wants the court to decide any question connected with the subject matter of the proceedings—
 - (i) not only between existing parties but also between existing parties and a person not already a party; or
 - (ii) against an existing party not only in a capacity in which he is already a party but also in some further capacity.