

RULE 23 – REPLY AND SUBSEQUENT PLEADINGS

Form

- (1) A reply must be in Form 22.

Delivery of reply

- (2) A plaintiff shall file and deliver any reply within 7 days after the statement of defence has been delivered.

Pleading subsequent to reply

- (3) No pleading subsequent to reply shall be filed or delivered without leave of the court.

Statement of defence to counterclaim

- (4) Where a counterclaim is pleaded, the statement of defence to it shall be in Form 23 and shall be subject to the rules applicable to statements of defence.

Close of pleadings

- (5) Where no reply to a statement of defence, to a statement of defence to a counterclaim, or to a subsequent pleading is delivered within the time allowed, the pleadings are closed and material statements of fact in the pleading last delivered shall be deemed to have been denied and put in issue.

Failure to reply

- (6) Where no reply to a statement of defence is delivered, a joinder of issue on that defence is implied.

No joinder of issue

- (7) No reply that is a simple joinder of issue shall be filed or delivered.