

## **FURTHER AND BETTER PARTICULARS (FPB)**

An FBP Application is moved under **Order 18, Rule 12(3) of the Rules of Court 2012**:

*(3) The Court may order a party to serve on any other party particulars of any claim, defence or other matter stated in his pleading, or in any affidavit of his to stand as a pleading, or a statement of the nature of the case on which he relies, and the order may be made on such terms as the Court thinks just.*

### **PROCEDURES FOR FPB APPLICATION**

1. **Order 18, Rule 12(6) of the Rules of Court 2012** necessitates that a party that seeks the Court's assistance for an FBP Application must have first applied for the particulars needed via **a letter to the Opponent first before making a formal application in Court.**
  - **The Notice of Application and accompanying Affidavit in Support** shall list out the Particulars sought, and this must be done specifically with reference to the relevant paragraphs in the Pleading.
2. **Order 18, Rule 12(7) of the Rules of Court 2012:** The particulars requested or ordered and supplied shall be served in accordance with Form 31.
  - The request is a formal document and should be formatted in the same way as a pleading, with each request set out and numbered serially.
  - The format of the pleadings is to be set out in accordance with **Form 31** where the request and particulars supplied in response will be married together in a single document and form part of the bundle of pleadings, together with the request and any order for particulars.

# Further Particulars

**Daniel F McAuley**



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