

114th UPDATE – PRACTICE DIRECTION AMENDMENTS

The amendments in relation to Practice Direction 51R supplementing the Civil Procedure Rules 1998 are made by the Master of the Rolls under the powers delegated to him by the Lord Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and is approved by Chris Philp MP, Parliamentary Under-Secretary of State for Justice, by the authority of the Lord Chancellor.

Except for the amendments to paragraphs 13.1(1) and (2) of Practice Direction 51R and the insertion of paragraph 13.1(5) into that Practice Direction, the amendments made by this Update come into force on 24 February 2020 and apply in relation to all claims submitted to the court on or after 11 a.m. on that date.

The amendments to paragraphs 13.1(1) and (2) of Practice Direction 51R and the insertion of paragraph 13.1(5) into that Practice Direction made by this Update come into force on 6 April 2020 and apply in relation to all claims submitted to the court on or after 11 a.m. on that date.

The Right Honourable Sir Terence Etherton
Master of the Rolls and Head of Civil Justice

Signed by authority of the Lord Chancellor:

Chris Philp MP
Parliamentary Under-Secretary of State for Justice
Ministry of Justice
Date: 11 February 2020

PRACTICE DIRECTION 51R – ONLINE CIVIL MONEY CLAIMS PILOT

1) In the Table of Contents –

- a) in the main heading entry for Section 7, for “New Features – Defendant’s response online” substitute “Defendant’s electronic response”;
- b) in the entry for Sub-section F of Section 7, for “online” substitute “submitted electronically”;
- c) in the entry for paragraph 7.47, for “online” substitute “submitted electronically”;
- d) for the heading to Section 9, substitute –

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SECTION 9 – Defendant’s response submitted electronically – alternative responses	
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”; and

- e) for the entry for paragraph 9.1, substitute –

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Defendant’s response submitted electronically – alternative responses	Paragraph 9.1
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- 2) In paragraph 1.1, after the definition of “online claim form” insert –

“ “OCMC postal address” means the address for submitting documents in paper copy set out at paragraph 2.1(2)(a);”.

- 3) In paragraph 5.1(3), in Table A –

- a) in the entry for defence and counterclaim, for “Online Civil Money Claims postal address” substitute “OCMC postal address”;
- b) in the entry for defence and notice of additional claim, for “Online Civil Money Claims postal address” substitute “OCMC postal address”;
- c) in the entry for defence and additional claim, for “Online Civil Money Claims postal address” substitute “OCMC postal address”; and
- d) omit the entry for admission with request to pay later or by instalments.

- 4) In paragraph 6.8(3) –

- a) after “table A.” insert –

“Alternatively, if the claim has been selected to test this new feature (form OCON180) on or after 11.00 a.m. on 24 February 2020 and the claim is for an amount between “£300.01 and £1,000, a judge may instead consider the forms.”; and

- b) after “considered by a”, insert “judge or”.
- 5) In the main heading to Section 7, for “New Features – Defendant’s response online” substitute “Defendant’s electronic response”.
- 6) For paragraph 7.1(1), substitute –
 - “(1) This Section applies where the defendant responds electronically admitting the whole or part of the claim, or admitting part and defending the rest of the claim.”.
- 7) In paragraph 7.1(6), after “the defendant” insert “responds electronically, but”.
- 8) In Section 7, in the heading to Sub-section F, for “online” substitute “submitted electronically”.
- 9) In the heading to paragraph 7.47 in the heading to the paragraph, for “online” substitute “submitted electronically”.
- 10) In paragraph 7.47 –
 - a) in subparagraph (1)(a), for “online” substitute “electronically”; and
 - b) in subparagraph (1)(c), after “OCON9A” insert “on the OCMC website”.
- 11) For the heading to Section 9, substitute “SECTION 9 – Defendant’s response submitted electronically – alternative responses”.
- 12) For the heading to paragraph 9.1, substitute “Defendant’s response submitted electronically – alternative responses”
- 13) In paragraph 9.1(1) –
 - a) after “response form” insert “electronically”;
 - b) after “other than” insert “online”;
 - c) in subparagraph (b) omit “using “new features” (as defined)”;
 - d) in subparagraph (c) omit “using “new features” ”; and
 - e) in subparagraph (d) omit “using “new features” ”.
- 14) In paragraph 13.1(1) and (2), in the wording of the statements of truth, at the end insert “I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.”.
- 15) After the signpost following paragraph 13.1(4), insert –
 - “(5) A statement of truth must be dated with the date that it is signed.”.

16) For paragraph 20.1(1)(c), substitute –

“(c) the “preferred court” (as defined) is one of the hearing centres listed in the first column of Table 1A below, and the claim is selected to test new features on or at any time after 11.00 a.m. on the date listed in the second column of that table.

Table 1A

Hearing centre	Date
Birmingham	9 September 2019
Manchester	9 September 2019
Edmonton	9 September 2019
Clerkenwell and Shoreditch	9 September 2019
Cardiff Civil and Family Justice Centre	24 February 2020
Guildford County Court	24 February 2020
Lincoln County Court	24 February 2020
Central London County Court	24 February 2020

”.

17) In paragraph 20.3(4) omit “, using the OCMC website (as defined)”.