

# CONTENTS

## VOLUME I

### RULES AND PRACTICE DIRECTIONS

#### Notes to RAPR

#### **PART 1            OVERRIDING OBJECTIVE**

- Rule 1.1            The overriding objective
- Rule 1.2            Application by the court of the overriding objective
- Rule 1.3            Duty of the parties
- Rule 1.4            Court's duty to manage cases

#### **PART 2            APPLICATION AND INTERPRETATION OF THE RULES**

- Rule 2.1            Application of the Rules
- Rule 2.2            The glossary
- Rule 2.3            Interpretation
- Rule 2.4            Power of judge, Master or district judge to perform functions of the court
- Rule 2.5            Court staff
- Rule 2.6            Court documents to be sealed
- Rule 2.7            Court's discretion as to where it deals with cases
- Rule 2.8            Time
- Rule 2.9            Dates for compliance to be calendar dates and to include time of day
- Rule 2.10            Meaning of 'month' in judgments, etc.
- Rule 2.11            Time limits may be varied by parties

#### PRACTICE DIRECTIONS:

#### COURT OFFICES

#### B. ALLOCATION OF CASES TO LEVELS OF JUDICIARY

#### **PART 3            THE COURT'S CASE MANAGEMENT POWERS**

- Rule 3.1            The court's general powers of management
- Rule 3.2            Court officer's power to refer to a judge
- Rule 3.3            Court's power to make order of its own initiative
- Rule 3.4            Power to strike out a statement of case
- Rule 3.5            Judgment without trial after striking out
- Rule 3.6            Setting aside judgment entered after striking out

Rule 3.7	Sanctions for non-payment of certain fees
Rule 3.8	Sanctions have effect unless defaulting party obtains relief
Rule 3.9	Relief from sanctions
Rule 3.10	General power of the court to rectify matters where there has been an error of procedure
Rule 3.11	Power of the court to make civil restraint orders
	PRACTICE DIRECTIONS:
	STRIKING OUT A STATEMENT OF CASE
	B. SANCTIONS FOR NON-PAYMENT OF FEES
	C. CIVIL RESTRAINT ORDERS

## **PART 4 FORMS**

Rule 4	Forms
	PRACTICE DIRECTION

## **PART 5 COURT DOCUMENTS**

Rule 5.1	Scope of this Part
Rule 5.2	Preparation of documents
Rule 5.3	Signature of documents by mechanical means
Rule 5.4	Supply of documents from court records – general
Rule 5.4A	Supply of documents to Attorney-General from court records
Rule 5.5	Filing and sending documents
	PRACTICE DIRECTIONS:
	COURT DOCUMENTS
	B. ELECTRONIC COMMUNICATION AND FILING OF DOCUMENTS

## **PART 6 SERVICE OF DOCUMENTS**

### **I General Rules about service**

Rule 6.1	Part 6 rules about service apply generally
Rule 6.2	Methods of service – general
Rule 6.3	Who is to serve
Rule 6.4	Personal service
Rule 6.5	Address for service
Rule 6.6	Service of documents on children and patients
Rule 6.7	Deemed service
Rule 6.8	Service by an alternative method
Rule 6.9	Power of court to dispense with service
Rule 6.10	Certificate of service
Rule 6.11	Notice of non-service

## **II Special provisions about service of the claim form**

- Rule 6.12 General rules about service subject to special rules about service of claim form
- Rule 6.13 Service of claim form by the court – defendant’s address for service
- Rule 6.14 Certificate of service relating to the claim form
- Rule 6.15 Service of claim form by contractually agreed method
- Rule 6.16 Service of claim form on agent of principal who is overseas

## **III Special provisions about service out of the Jurisdiction**

- Rule 6.17 Scope of this Section
- Rule 6.18 Definitions
- Rule 6.19 Service out of the jurisdiction where the permission of the court is not required
- Rule 6.20 Service out of the jurisdiction where the permission of the court is required
- Rule 6.21 Application for permission to serve claim form out of jurisdiction
- Rule 6.22 Period for acknowledging service or for admitting the claim where the claim form is served out of the jurisdiction under rule 6.19
- Rule 6.23 Period for filing a defence where the claim form is served out of the jurisdiction under rule 6.19
- Rule 6.24 Method of service – general provisions
- Rule 6.25 Service through foreign governments, judicial authorities and British Consular authorities
- Rule 6.26 Procedure where service is to be through foreign governments, judicial authorities and British Consular authorities
- Rule 6.26A Service in accordance with the Service Regulation
- Rule 6.27 Service of claim form on State where court permits service out of the jurisdiction
- Rule 6.28 Translation of claim form
- Rule 6.29 Undertaking to be responsible for expenses of the Foreign and Commonwealth Office
- Rule 6.30 Service of documents other than the claim form
- Rule 6.31 Proof of service

## **IV Service of Foreign Process**

- Rule 6.32 Scope and definitions
- Rule 6.33 Request for service
- Rule 6.34 Method of service
- Rule 6.35 After service

### **PRACTICE DIRECTIONS:**

### **SERVICE**

### **B. SERVICE OUT OF THE JURISDICTION**

<b>PART 7</b>	<b>HOW TO START PROCEEDINGS – THE CLAIM FORM</b>
Rule 7.1	Where to start proceedings
Rule 7.2	How to start proceedings
Rule 7.3	Right to use one claim form to start two or more claims
Rule 7.4	Particulars of claim
Rule 7.5	Service of a claim form
Rule 7.6	Extension of time for serving a claim form
Rule 7.7	Application by defendant for service of a claim form
Rule 7.8	Form for defence etc. must be served with particulars of claim
Rule 7.9	Fixed date and other claims
Rule 7.10	Production Centre for claims
Rule 7.11	Human Rights
Rule 7.12	Electronic issue of claims
	PRACTICE DIRECTIONS:
	HOW TO START PROCEEDINGS
	B. CONSUMER CREDIT ACT CLAIM
	C. PRODUCTION CENTRE
	D. CLAIMS FOR THE RECOVERY OF TAXES
	E. MONEY CLAIM ONLINE
<b>PART 8</b>	<b>ALTERNATIVE PROCEDURE FOR CLAIMS</b>
Rule 8.1	Types of claim in which Part 8 procedure may be followed
Rule 8.2	Contents of the claim form
Rule 8.2A	Issue of claim form without naming defendants
Rule 8.3	Acknowledgment of service
Rule 8.4	Consequence of not filing an acknowledgment of service
Rule 8.5	Filing and serving written evidence
Rule 8.6	Evidence – general
Rule 8.7	Part 20 claims
Rule 8.8	Procedure where defendant objects to use of the Part 8 procedure
Rule 8.9	Modifications to the general rules
	PRACTICE DIRECTIONS:
	ALTERNATIVE PROCEDURE FOR CLAIMS
	B. PART 8
<b>PART 9</b>	<b>RESPONDING TO PARTICULARS OF CLAIM – GENERAL</b>
Rule 9.1	Scope of this Part
Rule 9.2	Defence, admission or acknowledgment of service

<b>PART 10</b>	<b>ACKNOWLEDGMENT OF SERVICE</b>
Rule 10.1	Acknowledgment of service
Rule 10.2	Consequence of not filing an acknowledgment of service
Rule 10.3	The period for filing an acknowledgment of service
Rule 10.4	Notice to claimant that defendant has filed an acknowledgment of service
Rule 10.5	Contents of acknowledgment of service
	PRACTICE DIRECTION
<b>PART 11</b>	<b>DISPUTING THE COURT'S JURISDICTION</b>
Rule 11	Procedure for disputing the court's jurisdiction
<b>PART 12</b>	<b>DEFAULT JUDGMENT</b>
Rule 12.1	Meaning of 'default judgment'
Rule 12.2	Claims in which default judgment may not be obtained
Rule 12.3	Conditions to be satisfied
Rule 12.4	Procedure for obtaining default judgment
Rule 12.5	Nature of judgment where default judgment obtained by filing a request
Rule 12.6	Interest
Rule 12.7	Procedure for deciding an amount or value
Rule 12.8	Claim against more than one defendant
Rule 12.9	Procedure for obtaining default judgment for costs only
Rule 12.10	Default judgment obtained by making an application
Rule 12.11	Supplementary provisions where applications for default judgment are made
	PRACTICE DIRECTION
<b>PART 13</b>	<b>SETTING ASIDE OR VARYING DEFAULT JUDGMENT</b>
Rule 13.1	Scope of this Part
Rule 13.2	Cases where the court must set aside judgment entered under Part 12
Rule 13.3	Cases where the court may set aside or vary judgment entered under Part 12
Rule 13.4	Application to set aside or vary judgment – procedure
Rule 13.5	Omitted
Rule 13.6	Abandoned claim restored where default judgment set aside
<b>PART 14</b>	<b>ADMISSIONS</b>
Rule 14.1	Making an admission
Rule 14.2	Period for making an admission
Rule 14.3	Admission by notice in writing – application for judgment
Rule 14.4	Admission of whole of claim for specified amount of money

Rule 14.5	Admission of part of a claim for a specified amount of money
Rule 14.6	Admission of liability to pay whole of claim for unspecified amount of money
Rule 14.7	Admission of liability to pay claim for unspecified amount of money where defendant offers a sum in satisfaction of the claim
Rule 14.8	Allocation of claims in relation to outstanding matters
Rule 14.9	Request for time to pay
Rule 14.10	Determination of rate of payment
Rule 14.11	Determination of rate of payment by court officer
Rule 14.12	Determination of rate of payment by judge
Rule 14.13	Right of re-determination
Rule 14.14	Interest

PRACTICE DIRECTION

**PART 15 DEFENCE AND REPLY**

Rule 15.1	Part not to apply where claimant uses Part 8 procedure
Rule 15.2	Filing a defence
Rule 15.3	Consequence of not filing a defence
Rule 15.4	The period for filing a defence
Rule 15.5	Agreement extending the period for filing a defence
Rule 15.6	Service of copy of defence
Rule 15.7	Making a counterclaim
Rule 15.8	Reply to defence
Rule 15.9	No statement of case after a reply to be filed without court's permission
Rule 15.10	Claimant's notice where defence is that money claimed has been paid
Rule 15.11	Claim stayed if it is not defended or admitted

PRACTICE DIRECTION

**PART 16 STATEMENTS OF CASE**

Rule 16.1	Part not to apply where claimant uses Part 8 procedure
Rule 16.2	Contents of the claim form
Rule 16.3	Statement of value to be included in the claim form
Rule 16.4	Contents of the particulars of claim
Rule 16.5	Content of defence
Rule 16.6	Defence of set-off
Rule 16.7	Reply to defence
Rule 16.8	Court's power to dispense with statements of case

PRACTICE DIRECTION

**PART 17 AMENDMENTS TO STATEMENTS OF CASE**

Rule 17.1	Amendments to statements of case
-----------	----------------------------------

Rule 17.2	Power of court to disallow amendments made without permission
Rule 17.3	Amendments to statements of case with the permission of the court
Rule 17.4	Amendments to statements of case after the end of a relevant limitation period
	PRACTICE DIRECTION
<b>PART 18</b>	<b>FURTHER INFORMATION</b>
Rule 18.1	Obtaining further information
Rule 18.2	Restriction on the use of further information
	PRACTICE DIRECTION
<b>PART 19</b>	<b>PARTIES AND GROUP LITIGATION</b>
Rule 19.1	Parties – general
	<b>I Addition and substitution of parties</b>
Rule 19.2	Change of parties – general
Rule 19.3	Provisions applicable where two or more persons are jointly entitled to a remedy
Rule 19.4	Procedure for adding and substituting parties
Rule 19.4A	Human Rights
Rule 19.5	Special provisions about adding or substituting parties after the end of a relevant limitation period
Rule 19.5A	Special rules about parties in claims for wrongful interference with goods
	<b>II Representative Parties</b>
Rule 19.6	Representative parties with same interest
Rule 19.7	Representation of interested persons who cannot be ascertained etc.
Rule 19.7A	Representation of beneficiaries by trustees etc.
Rule 19.8	Death
Rule 19.8A	Power to make judgements binding on non-parties
Rule 19.9	Derivative Claims
	<b>III Group Litigation</b>
Rule 19.10	Definition
Rule 19.11	Group Litigation Order
Rule 19.12	Effect of the GLO
Rule 19.13	Case management
Rule 19.14	Removal from the register
Rule 19.15	Test claims
	PRACTICE DIRECTIONS:
	ADDITION AND SUBSTITUTION OF PARTIES
	B. GROUP LITIGATION

## **PART 20 COUNTERCLAIMS AND OTHER ADDITIONAL CLAIMS**

- Rule 20.1 Purpose of Part 20
  - Rule 20.2 Meaning of 'Part 20 claim'
  - Rule 20.3 Part 20 claim to be treated as a claim for the purposes of the Rules
  - Rule 20.4 Defendant's counterclaim against the claimant
  - Rule 20.5 Counterclaim against a person other than the claimant
  - Rule 20.6 Defendant's claim for contribution or indemnity from co-defendant
  - Rule 20.7 Procedure for making any other Part 20 claim
  - Rule 20.8 Service of a Part 20 claim form
  - Rule 20.9 Matters relevant to question of whether a Part 20 claim should be separate from main claim
  - Rule 20.10 Effect of service of a Part 20 claim
  - Rule 20.11 Special provisions relating to default judgment on a Part 20 claim other than a counterclaim or a contribution or indemnity notice
  - Rule 20.12 Procedural steps on service of a Part 20 claim form on a non-party
  - Rule 20.13 Case management where there is a defence to a Part 20 claim form
- PRACTICE DIRECTION**

## **PART 21 CHILDREN AND PATIENTS**

- Rule 21.1 Scope of this Part
  - Rule 21.2 Requirement for litigation friend in proceedings by or against children and patients
  - Rule 21.3 Stage of proceedings at which a litigation friend becomes necessary
  - Rule 21.4 Who may be a litigation friend without a court order
  - Rule 21.5 How a person becomes a litigation friend without a court order
  - Rule 21.6 How a person becomes a litigation friend by court order
  - Rule 21.7 Court's power to change litigation friend and to prevent person acting as litigation friend
  - Rule 21.8 Appointment of litigation friend by court order – supplementary
  - Rule 21.9 Procedure where appointment of litigation friend ceases
  - Rule 21.10 Compromise etc. by or on behalf of child or patient
  - Rule 21.11 Control of money recovered by or on behalf of child or patient
  - Rule 21.12 Appointment of guardian of child's estate
- PRACTICE DIRECTION**

## **PART 22 STATEMENTS OF TRUTH**

- Rule 22.1 Documents to be verified by a statement of truth
  - Rule 22.2 Failure to verify a statement of case
  - Rule 22.3 Failure to verify a witness statement
  - Rule 22.4 Power of the court to require a document to be verified
- PRACTICE DIRECTION**



**PART 23                    GENERAL RULES ABOUT APPLICATIONS FOR COURT ORDERS**

- Rule 23.1            Meaning of ‘application notice’ and ‘respondent’  
Rule 23.2            Where to make an application  
Rule 23.3            Application notice to be filed  
Rule 23.4            Notice of an application  
Rule 23.5            Time when an application is made  
Rule 23.6            What an application notice must include  
Rule 23.7            Service of a copy of an application notice  
Rule 23.8            Applications which may be dealt with without a hearing  
Rule 23.9            Service of application where application made without notice  
Rule 23.10          Application to set aside or vary order made without notice  
Rule 23.11          Power of the court to proceed in the absence of a party  
Rule 23.12          Dismissal of totally without merit applications

**PRACTICE DIRECTIONS:**

**APPLICATIONS**

**B. PILOT SCHEME FOR TELEPHONE HEARINGS**

**PART 24                    SUMMARY JUDGMENT**

- Rule 24.1            Scope of this Part  
Rule 24.2            Grounds for summary judgment  
Rule 24.3            Types of proceedings in which summary judgment is available  
Rule 24.4            Procedure  
Rule 24.5            Evidence for the purposes of a summary judgment hearing  
Rule 24.6            Court’s powers when it determines a summary judgment application

**PRACTICE DIRECTION**

**PART 25                    INTERIM REMEDIES AND SECURITY FOR COSTS**

**I Interim Remedies**

- Rule 25.1            Orders for interim remedies  
Rule 25.2            Time when an order for an interim remedy may be made  
Rule 25.3            How to apply for an interim remedy  
Rule 25.4            Application for an interim remedy where there is no related claim  
Rule 25.5            Inspection of property before commencement or against a non-party  
Rule 25.6            Interim payments – general procedure  
Rule 25.7            Interim payments – conditions to be satisfied and matters to be taken into account  
Rule 25.8            Powers of court where is has made an order for interim payment  
Rule 25.9            Restriction on disclosure of an interim payment  
Rule 25.10          Interim injunction to cease if claim stayed  
Rule 25.11          Interim injunction to cease after 14 days if claim struck out

## **II Security for costs**

- Rule 25.12 Security for costs
- Rule 25.13 Conditions to be satisfied
- Rule 25.14 Security for costs other than from the claimant
- Rule 25.15 Security for costs of an appeal

### **PRACTICE DIRECTIONS:**

### **INTERIM INJUNCTIONS**

### **B. INTERIM PAYMENTS**

## **PART 26 CASE MANAGEMENT – PRELIMINARY STAGE**

- Rule 26.1 Scope of this Part
- Rule 26.2 Automatic transfer
- Rule 26.3 Allocation questionnaire
- Rule 26.4 Stay to allow for settlement of the case
- Rule 26.5 Allocation
- Rule 26.6 Scope of each track
- Rule 26.7 General rule for allocation
- Rule 26.8 Matters relevant to allocation to a track
- Rule 26.9 Notice of allocation
- Rule 26.10 Re-allocation
- Rule 26.11 Trial with a Jury

### **PRACTICE DIRECTIONS:**

### **CASE MANAGEMENT**

### **B. PILOT SCHEME FOR MEDIATION IN CENTRAL LONDON COUNTY COURT**

## **PART 27 THE SMALL CLAIMS TRACK**

- Rule 27.1 Scope of this Part
- Rule 27.2 Extent to which other Parts apply
- Rule 27.3 Court's power to grant a final remedy
- Rule 27.4 Preparation for the hearing
- Rule 27.5 Experts
- Rule 27.6 Preliminary hearing
- Rule 27.7 Power of court to add to, vary or revoke directions
- Rule 27.8 Conduct of the hearing
- Rule 27.9 Non-attendance of parties at a final hearing
- Rule 27.10 Disposal without a hearing
- Rule 27.11 Setting judgment aside and re-hearing
- Rule 27.14 Costs on the small claims track
- Rule 27.15 Claim re-allocated from the small claims track to another track

### **PRACTICE DIRECTION**

<b>PART 28</b>	<b>THE FAST TRACK</b>
Rule 28.1	Scope of this Part
Rule 28.2	General provisions
Rule 28.3	Directions
Rule 28.4	Variation of case management timetable
Rule 28.5	Pre-trial check list (listing questionnaire)
Rule 28.6	Fixing or confirming the trial date and giving directions
Rule 28.7	Conduct of trial
	PRACTICE DIRECTION
 <b>PART 29</b>	 <b>THE MULTI-TRACK</b>
Rule 29.1	Scope of this Part
Rule 29.2	Case management
Rule 29.3	Case management conference and pre-trial review
Rule 29.4	Steps taken by the parties
Rule 29.5	Variation of case management timetable
Rule 29.6	Pre-trial check list (listing questionnaire)
Rule 29.7	Pre-trial review
Rule 29.8	Setting a trial timetable and fixing or confirming the trial date or week
Rule 29.9	Conduct of trial
	PRACTICE DIRECTION
 <b>PART 30</b>	 <b>TRANSFER</b>
Rule 30.1	Scope of this Part
Rule 30.2	Transfer between county courts and within the High Court
Rule 30.3	Criteria for a transfer order
Rule 30.4	Procedure
Rule 30.5	Transfer between Divisions and to and from a specialist list
Rule 30.6	Power to specify place where hearings are to be held
Rule 30.7	Transfer of control of money in court
Rule 30.8	Transfer of competition law claims
	PRACTICE DIRECTION
 <b>PART 31</b>	 <b>DISCLOSURE AND INSPECTION OF DOCUMENTS</b>
Rule 31.1	Scope of this Part
Rule 31.2	Meaning of disclosure
Rule 31.3	Right of inspection of a disclosed document
Rule 31.4	Meaning of document
Rule 31.5	Disclosure limited to standard disclosure
Rule 31.6	Standard disclosure – what documents are to be disclosed

Rule 31.7	Duty of search
Rule 31.8	Duty of disclosure limited to documents which are or have been in a party's control
Rule 31.9	Disclosure of copies
Rule 31.10	Procedure for standard disclosure
Rule 31.11	Duty of disclosure continues during proceedings
Rule 31.12	Specific disclosure or inspection
Rule 31.13	Disclosure in stages
Rule 31.14	Documents referred to in statements of case etc.
Rule 31.15	Inspection and copying of documents
Rule 31.16	Disclosure before proceedings start
Rule 31.17	Orders for disclosure against a person not a party
Rule 31.18	Rules not to limit other powers of the court to order disclosure
Rule 31.19	Claim to withhold inspection or disclosure of a document
Rule 31.20	Restriction on use of a privileged document inspection of which has been inadvertently allowed
Rule 31.21	Consequence of failure to disclose documents or permit inspection
Rule 31.22	Subsequent use of disclosed documents
Rule 31.23	False disclosure statements
	PRACTICE DIRECTION

## **PART 32 EVIDENCE**

Rule 32.1	Power of court to control evidence
Rule 32.2	Evidence of witnesses – general rule
Rule 32.3	Evidence by video link or other means
Rule 32.4	Requirement to serve witness statements for use at trial
Rule 32.5	Use at trial of witness statements which have been served
Rule 32.6	Evidence in proceedings other than at trial
Rule 32.7	Order for cross-examination
Rule 32.8	Form of witness statement
Rule 32.9	Witness summaries
Rule 32.10	Consequence of failure to serve witness statement or summary
Rule 32.11	Cross-examination on a witness statement
Rule 32.12	Use of witness statements for other purposes
Rule 32.13	Availability of witness statements for inspection
Rule 32.14	False statements
Rule 32.15	Affidavit evidence
Rule 32.16	Form of affidavit
Rule 32.17	Affidavit made outside the jurisdiction
Rule 32.18	Notice to admit facts
Rule 32.19	Notice to admit or produce documents
	PRACTICE DIRECTION

<b>PART 33</b>	<b>MISCELLANEOUS RULES ABOUT EVIDENCE</b>
Rule 33.1	Introductory
Rule 33.2	Notice of intention to rely on hearsay evidence
Rule 33.3	Circumstances in which notice of intention to rely on hearsay evidence is not required
Rule 33.4	Power to call witness for cross-examination on hearsay evidence
Rule 33.5	Credibility
Rule 33.6	Use of plans, photographs and models as evidence
Rule 33.7	Evidence of finding on question of foreign law
Rule 33.8	Evidence of consent of trustee to act
Rule 33.9	Human Rights
	<b>PRACTICE DIRECTION</b>
 <b>PART 34</b>	 <b>WITNESSES, DEPOSITIONS AND EVIDENCE FOR FOREIGN COURTS</b>
	<b>I Witnesses and depositions</b>
Rule 34.1	Scope of this Section
Rule 34.2	Witness summonses
Rule 34.3	Issue of a witness summons
Rule 34.4	Witness summons in aid of inferior court or of tribunal
Rule 34.5	Time for serving a witness summons
Rule 34.6	Who is to serve a witness summons
Rule 34.7	Right of witness to travelling expenses and compensation for loss of time
Rule 34.8	Evidence by deposition
Rule 34.9	Conduct of examination
Rule 34.10	Enforcing attendance of witness
Rule 34.11	Use of deposition at a hearing
Rule 34.12	Restrictions on subsequent use of deposition taken for the purpose of any hearing except the trial
Rule 34.13	Where a person to be examined is out of the jurisdiction – letter of request
Rule 34.13A	Letter of request - Proceeds of Crime Act 2002
Rule 34.14	Fees and expenses of examiner of the court
Rule 34.15	Examiners of the court
	<b>II Evidence for foreign courts</b>
Rule 34.16	Scope and interpretation
Rule 34.17	Application of order
Rule 34.18	Examination
Rule 34.19	Dealing with deposition
Rule 34.20	Claim to privilege
Rule 34.21	Order under 1975 Act as applied by Patents Act 1977

### **III Taking of evidence - Member States of the European Union**

- Rule 34.22 Interpretation  
Rule 34.23 Where a person to be examined is in another Regulation State  
Rule 34.24 Evidence for courts of other Regulation States

#### **PRACTICE DIRECTIONS:**

#### **DEPOSITIONS AND COURT ATTENDANCE BY WITNESSES**

#### **B. FEES FOR EXAMINERS OF THE COURT**

### **PART 35 EXPERTS AND ASSESSORS**

- Rule 35.1 Duty to restrict expert evidence  
Rule 35.2 Interpretation  
Rule 35.3 Experts – overriding duty to the court  
Rule 35.4 Court’s power to restrict expert evidence  
Rule 35.5 General requirement for expert evidence to be given in a written report  
Rule 35.6 Written questions to experts  
Rule 35.7 Court’s power to direct that evidence is to be given by a single joint expert  
Rule 35.8 Instructions to a single joint expert  
Rule 35.9 Power of court to direct a party to provide information  
Rule 35.10 Contents of report  
Rule 35.11 Use by one party of expert’s report disclosed by another  
Rule 35.12 Discussions between experts  
Rule 35.13 Consequence of failure to disclose expert’s report  
Rule 35.14 Expert’s right to ask court for directions  
Rule 35.15 Assessors

#### **PRACTICE DIRECTION**

### **PART 36 OFFERS TO SETTLE AND PAYMENTS INTO COURT**

- Rule 36.1 Scope of this Part  
Rule 36.2 Part 36 offers and Part 36 payments – general provisions  
Rule 36.2A Personal injury claims for future pecuniary loss  
Rule 36.3 A defendant’s offer to settle a money claim requires a Part 36 payment  
Rule 36.4 Defendant’s offer to settle the whole of a claim which includes both a money claim and a non-money claim  
Rule 36.5 Form and content of a Part 36 offer  
Rule 36.6 Notice of a Part 36 payment  
Rule 36.7 Offer to settle a claim for provisional damages  
Rule 36.8 Time when a Part 36 offer or a Part 36 payment is made and accepted  
Rule 36.9 Clarification of a Part 36 offer or a Part 36 payment notice  
Rule 36.10 Court to take into account offer to settle made before commencement of proceedings  
Rule 36.11 Time for acceptance of a defendant’s Part 36 offer or Part 36 payment

Rule 36.12	Time for acceptance of a claimant's Part 36 offer
Rule 36.13	Costs consequences of acceptance of a defendant's Part 36 offer or Part 36 payment
Rule 36.14	Costs consequences of acceptance of a claimant's Part 36 offer
Rule 36.15	The effect of acceptance of a Part 36 offer or a Part 36 payment
Rule 36.16	Payment out of a sum in court on the acceptance of a Part 36 payment
Rule 36.17	Acceptance of a Part 36 offer or a Part 36 payment made by one or more, but not all, defendants
Rule 36.18	Other cases where a court order is required to enable acceptance of a Part 36 offer or a Part 36 payment
Rule 36.19	Restriction on disclosure of a Part 36 offer or a Part 36 payment
Rule 36.20	Costs consequences where a claimant fails to do better than a Part 36 offer or a Part 36 payment
Rule 36.21	Costs and other consequences where claimant does better than he proposed in his Part 36 offer
Rule 36.22	Interest
Rule 36.23	Deduction of benefits

#### PRACTICE DIRECTION

### **PART 37 MISCELLANEOUS PROVISIONS ABOUT PAYMENTS INTO COURT**

Rule 37.1	Money paid into court under a court order – general
Rule 37.2	Money paid into court may be treated as a Part 36 payment
Rule 37.3	Money paid into court where defendant wishes to rely on defence of tender before claim
Rule 37.4	Proceedings under Fatal Accidents Act 1976 and Law Reform (Miscellaneous Provisions) Act 1934 – apportionment by court
Rule 37.5	Payment into court under enactments

#### PRACTICE DIRECTION

### **PART 38 DISCONTINUANCE**

Rule 38.1	Scope of this Part
Rule 38.2	Right to discontinue claim
Rule 38.3	Procedure for discontinuing
Rule 38.4	Right to apply to have notice of discontinuance set aside
Rule 38.5	When discontinuance takes effect where permission of the court is not needed
Rule 38.6	Liability for costs
Rule 38.7	Discontinuance and subsequent proceedings
Rule 38.8	Stay of remainder of partly discontinued proceedings where costs not paid

### **PART 39 MISCELLANEOUS PROVISIONS RELATING TO HEARINGS**

Rule 39.1	Interpretation
Rule 39.2	General rule – hearing to be in public

Rule 39.3	Failure to attend the trial
Rule 39.4	Timetable for trial
Rule 39.5	Trial bundles
Rule 39.6	Representation at trial of companies or other corporations
Rule 39.7	Impounded documents
Rule 39.8	Claims under the Race Relations Act 1976
	PRACTICE DIRECTIONS:
	MISCELLANEOUS PROVISIONS RELATING TO HEARINGS
	B. COURT SITTINGS
	C. CLAIMS UNDER THE RACE RELATIONS ACT
<b>PART 40</b>	<b>JUDGMENTS, ORDERS, SALE OF LAND ETC.</b>
	<b>I Judgments and orders</b>
Rule 40.1	Scope of this Section
Rule 40.2	Standard requirements
Rule 40.3	Drawing up and filing of judgments and orders
Rule 40.4	Service of judgments and orders
Rule 40.5	Power to require judgment or order to be served on a party as well as his solicitor
Rule 40.6	Consent judgments and orders
Rule 40.7	When judgment or order takes effect
Rule 40.8	Time from which interest begins to run
Rule 40.9	Who may apply to set aside or vary a judgment or order
Rule 40.10	Judgment against a State in default of acknowledgement of service
Rule 40.11	Time for complying with a judgment or order
Rule 40.12	Correction of errors in judgments and orders
Rule 40.13	Cases where court gives judgment both on claim and counterclaim
Rule 40.14	Judgment in favour of certain part owners relating to the detention of goods
	<b>II Sale of Land etc. and Conveyancing Counsel</b>
Rule 40.15	Scope of this Section
Rule 40.16	Power to order sale etc.
Rule 40.17	Power to order delivery up of possession etc.
Rule 40.18	Reference to conveyancing counsel
Rule 40.19	Party may object to report
	<b>III Declaratory Judgements</b>
Rule 40.20	Declaratory Judgements
	PRACTICE DIRECTIONS:
	ACCOUNTS & INQUIRIES
	B. JUDGMENTS AND ORDERS



D.1 COURT'S POWERS IN RELATION TO LAND  
D.2 CONVEYANCING COUNSEL OF THE COURT

VOLUME II

**PART 41 DAMAGES**

**I Proceedings to which section 32A of the Supreme Court Act 1981 or section 51 of the County Courts Act 1984 applies**

- Rule 41.1 Application and definitions  
Rule 41.2 Order for an award of provisional damages  
Rule 41.3 Application for further damages

**II Periodical payments under the Damages Act 1996**

- Rule 41.4 Scope and interpretation  
Rule 41.5 Statement of case  
Rule 41.6 Court's indication to parties  
Rule 41.7 Factors to be taken into account  
Rule 41.8 The award  
Rule 41.9 Continuity of payment  
Rule 41.10 Assignment or charge  
PRACTICE DIRECTIONS:  
PROVISIONAL DAMAGES  
B. PERIODICAL PAYMENTS UNDER THE DAMAGES ACT 1996

**PART 42 CHANGE OF SOLICITOR**

- Rule 42.1 Solicitor acting for a party  
Rule 42.2 Change of solicitor – duty to give notice  
Rule 42.3 Order that a solicitor has ceased to act  
Rule 42.4 Removal of solicitor who has ceased to act on application of another party  
PRACTICE DIRECTION

**PART 43 SCOPE OF COST RULES AND DEFINITIONS**

- Rule 43.1 Scope of this Part  
Rule 43.2 Definitions and application  
Rule 43.3 Meaning of summary assessment  
Rule 43.4 Meaning of detailed assessment

**PART 44 GENERAL RULES ABOUT COSTS**

- Rule 44.1 Scope of this Part  
Rule 44.2 Solicitor's duty to notify client

Rule 44.3	Court's discretion and circumstances to be taken into account when exercising its discretion as to costs
Rule 44.3A	Costs orders relating to funding arrangements
Rule 44.3B	Limits on recovery under funding arrangements
Rule 44.4	Basis of assessment
Rule 44.5	Factors to be taken into account in deciding the amount of costs
Rule 44.6	Fixed costs
Rule 44.7	Procedure for assessing costs
Rule 44.8	Time for complying with an order for costs
Rule 44.9	Costs on the small claims track and fast track
Rule 44.10	Limitation on amount court may allow where a claim allocated to the fast track settles before trial
Rule 44.11	Costs following allocation and re-allocation
Rule 44.12	Cases where costs orders deemed to have been made
Rule 44.12A	Costs-only proceedings
Rule 44.13	Special situations
Rule 44.14	Court's powers in relation to misconduct
Rule 44.15	Providing information about funding arrangements
Rule 44.16	Adjournment where legal representative seeks to challenge disallowance of any amount of percentage increase
Rule 44.17	Application of costs rules

## **PART 45      FIXED COSTS**

### **I Fixed costs**

Rule 45.1	Scope of this Section
Rule 45.2	Amount of fixed commencement costs in a claim for the recovery of money or goods
Rule 45.2A	Amount of fixed commencement costs in a claim for the recovery of land or a demotion claim
Rule 45.3	When defendant only liable for fixed commencement costs
Rule 45.4	Costs on entry of judgment in a claim for the recovery of money or goods
Rule 45.4A	Costs on entry of judgment in a claim for the recovery of land or a demotion claim
Rule 45.5	Miscellaneous fixed costs
Rule 45.6	Fixed enforcement costs

### **II Road traffic accidents – fixed recoverable costs**

Rule 45.7	Scope and interpretation
Rule 45.8	Application of fixed recoverable costs
Rule 45.9	Amount of fixed recoverable costs
Rule 45.10	Disbursements
Rule 45.11	Success fee

Rule 45.12	Claims for an amount of costs exceeding fixed recoverable costs
Rule 45.13	Failure to achieve costs greater than fixed recoverable costs
Rule 45.14	Costs of the costs-only proceedings or the detailed assessment
	<b>III Fixed percentage increase in road traffic accident claims</b>
Rule 45.15	Scope and interpretation
Rule 45.16	Percentage increase of solicitors' fees
Rule 45.17	Percentage increase of counsel's fees
Rule 45.18	Application for an alternative percentage increase where the fixed increase is 12.5%
Rule 45.19	Assessment of alternative percentage increase
	<b>IV Fixed percentage increase in employers liability claims</b>
Rule 45.20	Scope and interpretation
Rule 45.21	Percentage increase of solicitors' and counsel's fees
Rule 45.22	Alternative percentage increase
<b>PART 46</b>	<b>FAST TRACK TRIAL COSTS</b>
Rule 46.1	Scope of this Part
Rule 46.2	Amount of fast track trial costs
Rule 46.3	Power to award more or less than the amount of fast track trial costs
Rule 46.4	Fast track trial costs where there is more than one claimant or defendant
<b>PART 47</b>	<b>PROCEDURE FOR DETAILED ASSESSMENT OF COSTS AND DEFAULT PROVISIONS</b>
	<b>I General Rules about detailed assessment</b>
Rule 47.1	Time when detailed assessment may be carried out
Rule 47.2	No stay of detailed assessment where there is an appeal
Rule 47.3	Powers of an authorised court officer
Rule 47.4	Venue for detailed assessment proceedings
	<b>II Costs payable by one party to another – commencement of detailed assessment proceedings</b>
Rule 47.5	Application of this section
Rule 47.6	Commencement of detailed assessment proceedings
Rule 47.7	Period for commencing detailed assessment proceedings
Rule 47.8	Sanction for delay in commencing detailed assessment proceedings
Rule 47.9	Points of dispute and consequence of not serving
Rule 47.10	Procedure where costs are agreed
	<b>III Costs payable by one party to another – default provisions</b>
Rule 47.11	Default costs certificate

Rule 47.12	Setting aside default costs certificate
	<b>IV Costs Payable By One Party To Another – Procedure Where Points Of Dispute Are Served</b>
Rule 47.13	Optional reply
Rule 47.14	Detailed assessment hearing
	<b>V Interim costs certificate and final costs certificate</b>
Rule 47.15	Power to issue an interim certificate
Rule 47.16	Final costs certificate
	<b>VI Detailed assessment procedure for costs of a LSC funded client or an assisted person where costs are payable out of the community legal service fund</b>
Rule 47.17	Detailed assessment procedure for costs of a LSC funded client or an assisted person where costs are payable out of the community legal service fund
Rule 47.17A	Detailed assessment procedure where costs are payable out of a fund other than the community legal service fund
	<b>VII Costs of detailed assessment proceedings</b>
Rule 47.18	Liability for costs of detailed assessment proceedings
Rule 47.19	Offers to settle without prejudice save as to costs of the detailed assessment proceedings
	<b>VIII Appeals from authorised court officers in detailed assessment proceedings</b>
Rule 47.20	Right to appeal
Rule 47.21	Court to hear appeal
Rule 47.22	Appeal procedure
Rule 47.23	Powers of the court on appeal
	PRACTICE DIRECTION
<b>PART 48</b>	<b>COSTS – SPECIAL CASES</b>
	<b>I Costs payable by or to particular persons</b>
Rule 48.1	Pre-commencement disclosure and orders for disclosure against a person who is not a party
Rule 48.2	Costs orders in favour of or against non-parties
Rule 48.3	Amount of costs where costs are payable pursuant to a contract
Rule 48.4	Limitations on court’s power to award costs in favour of trustee or personal representative
Rule 48.5	Costs where money is payable by or to a child or patient
Rule 48.6	Litigants in person
Rule 48.6A	Costs where the court has made a group litigation order

## **II Costs relating to solicitors and other legal representatives**

- Rule 48.7 Personal liability of legal representative for costs – wasted costs orders
  - Rule 48.8 Basis of detailed assessment of solicitor and client costs
  - Rule 48.9 Omitted
  - Rule 48.10 Assessment procedure
- COSTS PRACTICE DIRECTION (COVER RULE PARTS 43–48)**

## **PART 49 SPECIALIST PROCEEDINGS**

- Rule 49 Specialist proceedings
- PRACTICE DIRECTION:**  
**B. APPLICATIONS UNDER THE COMPANIES ACT 1985**

## **PART 50 APPLICATION OF THE SCHEDULES**

- Rule 50 Application of the Schedules

## **PART 51 TRANSITIONAL ARRANGEMENTS AND PILOT SCHEMES**

- Rule 51 Transitional Arrangements
- PRACTICE DIRECTION**

## **PART 52 APPEALS**

### **I General Rules about Appeals**

- Rule 52.1 Scope and interpretation
- Rule 52.2 Parties to comply with the practice direction
- Rule 52.3 Permission
- Rule 52.4 Appellant's notice
- Rule 52.5 Respondent's notice
- Rule 52.6 Variation of time
- Rule 52.7 Stay
- Rule 52.8 Amendment of appeal notice
- Rule 52.9 Striking out appeal notice, setting aside or imposing conditions on permission to appeal
- Rule 52.10 Appeal court's powers
- Rule 52.11 Hearing of appeals
- Rule 52.12 Non-disclosure of Part 36 offers and payments

### **II Special provisions applying to the Court of Appeal**

- Rule 52.13 Second appeals to the court
- Rule 52.14 Assignment of appeals to the Court of Appeal
- Rule 52.15 Judicial review appeals
- Rule 52.16 Who may exercise the powers of the Court of Appeal

### **III Provisions about reopening appeals**

- Rule 52.17 Reopening of final appeals  
PRACTICE DIRECTION

### **PART 53 DEFAMATION CLAIMS**

- Rule 53.1 Scope of this Part  
Rule 53.2 Summary disposal under the Defamation Act 1996  
Rule 53.3 Sources of information  
PRACTICE DIRECTION

### **PART 54 JUDICIAL REVIEW AND STATUTORY REVIEW**

#### **I Judicial Review**

- Rule 54.1 Scope and interpretation  
Rule 54.2 When this Section must be used  
Rule 54.3 When this Section may be used  
Rule 54.4 Permission required  
Rule 54.5 Time limit for filing claim form  
Rule 54.6 Claim form  
Rule 54.7 Service of claim form  
Rule 54.8 Acknowledgment of service  
Rule 54.9 Failure to file acknowledgment of service  
Rule 54.10 Permission given  
Rule 54.11 Service of order giving or refusing permission  
Rule 54.12 Permission decision without a hearing  
Rule 54.13 Defendant etc. may not apply to set aside<sup>(GL)</sup>  
Rule 54.14 Response  
Rule 54.15 Where claimant seeks to rely on additional grounds  
Rule 54.16 Evidence  
Rule 54.17 Court's powers to hear any person  
Rule 54.18 Judicial review may be decided without a hearing  
Rule 54.19 Court's powers in respect of quashing orders  
Rule 54.20 Transfer

#### **II Statutory Review under the Nationality, Immigration and Asylum Act 2002**

- Rule 54.21 Scope and interpretation  
Rule 54.22 Application for review  
Rule 54.23 Time limit for application  
Rule 54.24 Service of application  
Rule 54.25 Determining the application  
Rule 54.26 Service of order

Rule 54.27	Costs PRACTICE DIRECTION
<b>PART 55</b>	<b>POSSESSION CLAIMS</b>
Rule 55.1	Interpretation
	<b>I General Rules</b>
Rule 55.2	Scope
Rule 55.3	Starting the claim
Rule 55.4	Particulars of claim
Rule 55.5	Hearing date
Rule 55.6	Service of claims against trespassers
Rule 55.7	Defendant's response
Rule 55.8	The hearing
Rule 55.9	Allocation
Rule 55.10	Possession claims relating to mortgaged residential property
	<b>II Accelerated possession claims of property let on an assured shorthold tenancy</b>
Rule 55.11	When this section may be used
Rule 55.12	Conditions
Rule 55.13	Claim form
Rule 55.14	Defence
Rule 55.15	Claim referred to judge
Rule 55.16	Consideration of the claim
Rule 55.17	Possession order
Rule 55.18	Postponement of possession
Rule 55.19	Application to set aside or vary
	<b>III Interim possession orders</b>
Rule 55.20	When this section may be used
Rule 55.21	Conditions for IPO application
Rule 55.22	The application
Rule 55.23	Service
Rule 55.24	Defendant's response
Rule 55.25	Hearing of the application
Rule 55.26	Service and enforcement of the IPO
Rule 55.27	After IPO made
Rule 55.28	Application to set aside IPO
	PRACTICE DIRECTION

<b>PART 56</b>	<b>LANDLORD AND TENANT CLAIMS AND MISCELLANEOUS PROVISIONS ABOUT LAND</b>
	<b>I Landlord and tenant claims</b>
Rule 56.1	Scope and interpretation
Rule 56.2	Starting the claim
Rule 56.3	Claims for a new tenancy under section 24 and for the termination of a tenancy under section 29(2) of the Landlord and Tenant Act 1954
	<b>II Miscellaneous provisions about land</b>
Rule 56.4	Scope
	PRACTICE DIRECTION
<b>PART 57</b>	<b>PROBATE AND INHERITANCE</b>
Rule 57.1	Scope of this Part and definitions
	<b>I Probate claims</b>
Rule 57.2	General
Rule 57.3	How to start a probate claim
Rule 57.4	Acknowledgement of Service and Defence
Rule 57.5	Lodging of testamentary documents and filing of evidence about testamentary documents
Rule 57.6	Revocation of existing grant
Rule 57.7	Contents of statements of case
Rule 57.8	Counterclaim
Rule 57.9	Probate counterclaim in other proceedings
Rule 57.10	Failure to acknowledge service or to file a defence
Rule 57.11	Discontinuance and dismissal
	<b>II Rectification of wills</b>
Rule 57.12	Rectification of wills
	<b>III Substitution and removal of personal representatives</b>
Rule 57.13	Substitution and Removal of Personal Representatives
	<b>IV Claims under the Inheritance (provision for family and dependants) Act 1975</b>
Rule 57.14	Scope of this section
Rule 57.15	Proceedings in the High Court
Rule 57.16	Procedure for claims under section 1 of the Act
	PRACTICE DIRECTION
<b>PART 58</b>	<b>COMMERCIAL COURT</b>
Rule 58.1	Scope of this Part and interpretation



Rule 58.2	Specialist list
Rule 58.3	Application of the Civil Procedure Rules
Rule 58.4	Proceedings in the commercial list
Rule 58.5	Claim form and particulars of claim
Rule 58.6	Acknowledgement of service
Rule 58.7	Disputing the court's jurisdiction
Rule 58.8	Default judgment
Rule 58.9	Admissions
Rule 58.10	Defence and Reply
Rule 58.11	Statements of case
Rule 58.12	Part 8 claims
Rule 58.13	Case management
Rule 58.14	Disclosure – ships papers
Rule 58.15	Judgments and orders
	PRACTICE DIRECTION

## **PART 59      MERCANTILE COURTS**

Rule 59.1	Scope of this Part and interpretation
Rule 59.2	Application of the Civil Procedure Rules
Rule 59.3	Transfer of proceedings
Rule 59.4	Claim form and particulars of claim
Rule 59.5	Acknowledgment of service
Rule 59.6	Disputing the court's jurisdiction
Rule 59.7	Default judgment
Rule 59.8	Admissions
Rule 59.9	Defence and Reply
Rule 59.10	Statements of case
Rule 59.11	Case management
Rule 59.12	Judgments and orders
	PRACTICE DIRECTION

## **PART 60      TECHNOLOGY AND CONSTRUCTION COURT CLAIMS**

Rule 60.1	General
Rule 60.2	Specialist list
Rule 60.3	Application of the Civil Procedure Rules
Rule 60.4	Issuing a TCC claim
Rule 60.5	Reply
Rule 60.6	Case management
	PRACTICE DIRECTION

**PART 61      ADMIRALTY CLAIMS**

- Rule 61.1      Scope and interpretation
- Rule 61.2      Admiralty claims
- Rule 61.3      Claims in rem
- Rule 61.4      Special provisions relating to collision claims
- Rule 61.5      Arrest
- Rule 61.6      Security in claim in rem
- Rule 61.7      Cautions against arrest
- Rule 61.8      Release and cautions against release
- Rule 61.9      Judgment in default
- Rule 61.10      Sale by the court, priorities and payment out
- Rule 61.11      Limitation claims
- Rule 61.12      Stay of proceedings
- Rule 61.13      Assessors

**PRACTICE DIRECTION**

**PART 62      ARBITRATION CLAIMS**

- Rule 62.1      Scope of this Part and interpretation

**I Claims under the 1966 Act**

- Rule 62.2      Interpretation
- Rule 62.3      Starting the claim
- Rule 62.4      Arbitration claim form
- Rule 62.5      Service out of the jurisdiction
- Rule 62.6      Notice
- Rule 62.7      Case management
- Rule 62.8      Stay of legal proceedings
- Rule 62.9      Variation of time
- Rule 62.10      Hearings

**II Other arbitration claims**

- Rule 62.11      Scope of this Section
- Rule 62.12      Applications to Judge
- Rule 62.13      Starting the claim
- Rule 62.14      Claims in District Registries
- Rule 62.15      Time limits and other special provisions about arbitration claims
- Rule 62.16      Service out of the jurisdiction

**III Enforcement**

- Rule 62.17      Scope of this Section
- Rule 62.18      Enforcement of awards
- Rule 62.19      Interest on awards

Rule 62.20	Registration in High Court of foreign awards
Rule 62.21	Registration of awards under the Arbitration (International Investment Disputes) Act 1966
	PRACTICE DIRECTION

## **PART 63      PATENTS AND OTHER INTELLECTUAL PROPERTY CLAIMS**

Rule 63.1	Scope of this Part and interpretation
Rule 63.2	Application of the Civil Procedure Rules

### **I Patents and registered designs**

Rule 63.3	Scope of Section I
Rule 63.4	Specialist list
Rule 63.5	Starting the claim
Rule 63.6	Defence and reply
Rule 63.7	Case management
Rule 63.8	Disclosure and inspection
Rule 63.9	Claim for infringement and challenge to validity
Rule 63.10	Application to amend a patent specification in existing proceedings
Rule 63.11	Court's determination of question or application
Rule 63.12	Application by employee for compensation

### **II Registered trade marks and other intellectual property rights**

Rule 63.13	Allocation
Rule 63.14	Claims under the 1994 Act
Rule 63.15	Claim for infringement of registered trade mark

### **III Service**

Rule 63.16	Service
------------	---------

### **IV Appeals**

Rule 63.17	Appeals from the Comptroller
	PRACTICE DIRECTION

## **PART 64      ESTATES, TRUSTS AND CHARITIES**

Rule 64.1	General
-----------	---------

### **I Claims relating to the administration of estates and trusts**

Rule 64.2	Scope of this Section
Rule 64.3	Claim form
Rule 64.4	Parties

### **II Charity proceedings**

Rule 64.5	Scope of this Section and interpretation
-----------	--

Rule 64.6	Application for permission to take charity proceedings PRACTICE DIRECTIONS: ESTATES, TRUSTS AND CHARITIES B. APPLICATIONS TO THE COURT FOR DIRECTIONS BY TRUSTEES IN RELATION TO THE ADMINISTRATION OF THE TRUST
<b>PART 65</b>	<b>PROCEEDINGS RELATING TO ANTI-SOCIAL BEHAVIOUR AND HARASSMENT</b>
Rule 65.1	Scope of this Part  <b>I Housing Act 1996 injunctions</b>
Rule 65.2	Scope of this Section and interpretation
Rule 65.3	Applications for an injunction
Rule 65.4	Injunction containing provisions to which a power of arrest is attached
Rule 65.5	Application for warrant of arrest under section 155(3) of the 1996 Act
Rule 65.6	Proceedings following arrest
Rule 65.7	Recognizance  <b>II Applications by local authorities for power of arrest to be attached to an injunction</b>
Rule 65.8	Scope of this Section and interpretation
Rule 65.9	Applications under section 91(3) of the 2003 Act for a power of arrest to be attached to any provision of an injunction
Rule 65.10	Injunction containing provisions to which a power of arrest is attached  <b>III Demotion claims and proceedings relating to demoted tenancies</b>
Rule 65.11	Scope of this Section and interpretation
Rule 65.12	Demotion claims made in the alternative to possession claims
Rule 65.13	Other demotion claims
Rule 65.14	Starting a demotion claim
Rule 65.15	Particulars of claim
Rule 65.16	Hearing date
Rule 65.17	Defendant's response
Rule 65.18	The hearing
Rule 65.19	Allocation
Rule 65.20	Proceedings relating to demoted tenancies  <b>IV Anti-social behaviour orders under the Crime and Disorder Act 1998</b>
Rule 65.21	Scope of this Section and interpretation
Rule 65.22	Application where the relevant authority is a party in principal proceedings
Rule 65.23	Application by a relevant authority to join a person to the principal proceedings

Rule 65.24	Application where the relevant authority is not party in principal proceedings
Rule 65.25	Evidence
Rule 65.26	Application for an interim order
<b>V Proceedings under the protection from Harassment Act 1997</b>	
Rule 65.27	Scope of this Section
Rule 65.28	Claims under section 3 of the 1997 Act
Rule 65.29	Applications for issue of a warrant of arrest under section 3(3) of the 1997 Act
Rule 65.30	Proceedings following arrest
	PRACTICE DIRECTION
<b>PART 67 PROCEEDINGS RELATING TO SOLICITORS</b>	
Rule 67.1	Scope and interpretation
Rule 67.2	Power to order solicitor to deliver cash account etc.
Rule 67.3	Proceedings under Part III of the Act
Rule 67.4	Proceedings under Schedule 1 to the Act
	PRACTICE DIRECTION
<b>PART 68 REFERENCES TO THE EUROPEAN COURT</b>	
Rule 68.1	Interpretation
Rule 68.2	Making of order of reference
Rule 68.3	Transmission to the European Court
Rule 68.4	Stay of proceedings
	PRACTICE DIRECTION
<b>PART 69 COURT'S POWER TO APPOINT A RECEIVER</b>	
Rule 69.1	Scope of this Part
Rule 69.2	Court's power to appoint receiver
Rule 69.3	How to apply for the appointment of a receiver
Rule 69.4	Service of order appointing receiver
Rule 69.5	Security
Rule 69.6	Receiver's application for directions
Rule 69.7	Receiver's remuneration
Rule 69.8	Accounts
Rule 69.9	Non-compliance by receiver
Rule 69.10	Application for discharge of receiver
Rule 69.11	Order discharging or terminating appointment of receiver
	PRACTICE DIRECTION

<b>PART 70</b>	<b>GENERAL RULES ABOUT ENFORCEMENT OF JUDGMENTS AND ORDERS</b>
Rule 70.1	Scope of this Part and interpretation
Rule 70.2	Methods of enforcing judgments or orders
Rule 70.3	Transfer of proceedings for enforcement
Rule 70.4	Enforcement of judgment or order by or against non-party
Rule 70.5	Enforcement of awards of bodies other than the High Court and county courts
Rule 70.6	Effect of setting aside judgment or order
	PRACTICE DIRECTION
<b>PART 71</b>	<b>ORDERS TO OBTAIN INFORMATION FROM JUDGMENT DEBTORS</b>
Rule 71.1	Scope of this Part
Rule 71.2	Order to attend court
Rule 71.3	Service of order
Rule 71.4	Travelling expenses
Rule 71.5	Judgment creditor's affidavit
Rule 71.6	Conduct of the hearing
Rule 71.7	Adjournment of the hearing
Rule 71.8	Failure to comply with order
	PRACTICE DIRECTION
<b>PART 72</b>	<b>THIRD PARTY DEBT ORDERS</b>
Rule 72.1	Scope of this Part and interpretation
Rule 72.2	Third party debt order
Rule 72.3	Application for third party debt order
Rule 72.4	Interim third party debt order
Rule 72.5	Service of interim order
Rule 72.6	Obligations of third parties served with interim order
Rule 72.7	Arrangements for debtors in hardship
Rule 72.8	Further consideration of the application
Rule 72.9	Effect of final third party order
Rule 72.10	Money in court
Rule 72.11	Costs
	PRACTICE DIRECTION
<b>PART 73</b>	<b>CHARGING ORDERS, STOP ORDERS AND STOP NOTICES</b>
Rule 73.1	Scope of this Part and interpretation
	<b>Section I – Charging Orders</b>
Rule 73.2	Scope of this Section

Rule 73.3	Application for charging order
Rule 73.4	Interim charging order
Rule 73.5	Service of interim order
Rule 73.6	Effect of interim order in relation to securities
Rule 73.7	Effect of interim order in relation to funds in court
Rule 73.8	Further consideration of the application
Rule 73.9	Discharge or variation of order
Rule 73.10	Enforcement of charging order by sale

## **Section II – Stop Orders**

Rule 73.11	Interpretation
Rule 73.12	Application for stop order
Rule 73.13	Stop order relating to funds in court
Rule 73.14	Stop order relating to securities
Rule 73.15	Variation or discharge of order

## **Section III – Stop Notices**

Rule 73.16	General
Rule 73.17	Request for stop notice
Rule 73.18	Effect of stop notice
Rule 73.19	Amendment of stop notice
Rule 73.20	Withdrawal of stop notice
Rule 73.21	Discharge or variation of stop notice

## **PRACTICE DIRECTION**

# **PART 74 ENFORCEMENT OF JUDGMENTS IN DIFFERENT JURISDICTIONS**

Rule 74.1	Scope of this Part and interpretation
-----------	---------------------------------------

## **I Enforcement in England and Wales of judgments of foreign courts**

Rule 74.2	Interpretation
Rule 74.3	Applications for registration
Rule 74.4	Evidence in support
Rule 74.5	Security for costs
Rule 74.6	Registration orders
Rule 74.7	Applications to set aside registration
Rule 74.8	Appeals
Rule 74.9	Enforcement
Rule 74.10	Recognition
Rule 74.11	Authentic instruments and court settlements

## **II Enforcement in foreign countries of judgments of the High Court and County Courts**

Rule 74.12	Application for a certified copy of a judgment
------------	--

Rule 74.13 Evidence in support

**III Enforcement of United Kingdom judgments in other parts of the United Kingdom**

Rule 74.14 Interpretation

Rule 74.15 Registration of money judgments in the High Court

Rule 74.16 Registration of non-money judgments in the High Court

Rule 74.17 Certificates of High Court and county court money judgments

Rule 74.18 Certified copies of High Court and county court non-money judgments

**IV Enforcement in England and Wales of European Community judgments**

Rule 74.19 Interpretation

Rule 74.20 Application for registration of a Community judgment

Rule 74.21 Evidence in support

Rule 74.22 Registration orders

Rule 74.23 Application to vary or cancel registration

Rule 74.24 Enforcement

Rule 74.25 Application for registration of suspension order

Rule 74.26 Registration and enforcement of a Euratom inspection order

PRACTICE DIRECTION

**PART 75 TRAFFIC ENFORCEMENT**

Rule 75.1 Scope and interpretation

Rule 75.2 The Centre

Rule 75.3 Request

Rule 75.4 Electronic delivery of documents

Rule 75.5 Functions of court officer

Rule 75.6 Enforcement of orders

Rule 75.7 Warrant of execution

Rule 75.8 Revocation of order

Rule 75.9 Transfer for enforcement

Rule 75.10 Further information required

Rule 75.11 Combining requests

PRACTICE DIRECTION

**SCHEDULE 1**

RSC Order 17

RSC Order 45

RSC Order 46

RSC Order 47

RSC Order 52

RSC Order 54



RSC Order 64  
RSC Order 77  
RSC Order 79  
RSC Order 81  
RSC Order 93  
RSC Order 94  
RSC Order 95  
RSC Order 96  
RSC Order 109  
RSC Order 110  
RSC Order 112  
RSC Order 113  
RSC Order 115  
RSC Order 116

PRACTICE DIRECTIONS TO SUPPLEMENT

RSC ORDER 54

RSC ORDER 95

RSC ORDER 115

VOLUME III

**SCHEDULE 2**

CCR Order 1  
CCR Order 5  
CCR Order 16  
CCR Order 22  
CCR Order 24  
CCR Order 25  
CCR Order 26  
CCR Order 27  
CCR Order 28  
CCR Order 29  
CCR Order 33  
CCR Order 34  
CCR Order 39  
CCR Order 42  
CCR Order 44  
CCR Order 45  
CCR Order 46  
CCR Order 47  
CCR Order 49

PRACTICE DIRECTIONS TO SUPPLEMENT  
RSC ORDER 46 & CCR ORDER 26  
RSC ORDER 52 & CCR ORDER 29

**OTHER PRACTICE DIRECTIONS:**

**INSOLVENCY PROCEEDINGS**

**DIRECTORS DISQUALIFICATION PROCEEDINGS**

**USE OF WELSH LANGUAGE IN CASES IN THE CIVIL COURTS IN WALES  
DEVOLUTION ISSUES (AND CROWN OFFICE APPLICATIONS IN WALES)**

**APPLICATION FOR A WARRANT UNDER THE COMPETITION ACT 1998**

**PROCEEDS OF CRIME ACT 2002 PARTS 5 AND 8: CIVIL RECOVERY**

**COMPETITION LAW – CLAIMS RELATING TO THE APPLICATION OF  
ARTICLES 81 AND 82 OF THE EC TREATY AND CHAPTERS I AND II OF  
PART I OF THE COMPETITION ACT 1998**

**PRE-ACTION PROTOCOLS**

**PRE-ACTION PROTOCOL PRACTICE DIRECTION**

**CONSTRUCTION AND ENGINEERING DISPUTES**

**DEFAMATION**

**PERSONAL INJURY CLAIMS**

**RESOLUTION OF CLINICAL DISPUTES**

**PROFESSIONAL NEGLIGENCE**

**JUDICIAL REVIEW**

**DISEASE AND ILLNESS CLAIMS**

**HOUSING DISREPAIR CASES**

**FORMS**

**Glossary**

**Index**