

## 85<sup>th</sup> UPDATE – PRACTICE DIRECTION AMENDMENTS

The amendments to the existing Practice Directions 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 are approved by Shailesh Vara, Parliamentary Under Secretary of State for Courts and Legal Aid, by the authority of the Lord Chancellor.

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| The amendments to the existing Practice Directions come into force as follows— |  |
| Practice Direction 46 – Costs Special Cases                                    | on the day on which, and immediately after, sections 88 to 90 of the Criminal Justice and Courts Act 2015 come into force. |

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The Right Honourable The Lord Dyson  
Master of the Rolls and Head of Civil Justice

Signed by authority of the Lord Chancellor:

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Shailesh Vara  
Ministry of Justice

**PRACTICE DIRECTION 46 – COSTS SPECIAL CASES**

- 1) In the table of contents, after the entry for paragraph 9.1 insert-

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| “Judicial review costs capping orders under Part 4 of the Criminal Justice and Courts Act 2015: rules 46.16 to 46.19 | Para. 10.1.”. |
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- 2) After the entry for paragraph 9.12, insert-

**“Judicial review costs capping orders under Part 4 of the Criminal Justice and Courts Act 2015: rules 46.16 to 46.19**

10.1 Unless the court directs otherwise, a summary of an applicant’s financial resources under rule 46.17(1)(b)(ii) must provide details of—

- (a) the applicant’s significant assets, liabilities, income and expenditure; and
- (b) in relation to any financial support which any person has provided or is likely to provide to the applicant, the aggregate amount—
  - (i) which has been provided; and
  - (ii) which is likely to be provided.

10.2 An application to the High Court for a judicial review costs capping order must normally be contained in, or accompany, the claim form.”.

**Transitional provision**

- 1) The amendments made to Practice Direction 46 do not apply to an application for judicial review where the claim form was filed before the day on which sections 88 to 90 of the Criminal Justice and Courts Act 2015 come into force.