

2014 No. XXX (L.XXX)

**SENIOR COURTS OF ENGLAND AND WALES
COUNTY COURT, ENGLAND AND WALES**

The Civil Procedure (Amendment No. 5) Rules 2014

Made - - - - - ***
Laid before Parliament - - - - - ***
Coming into force - - - - - 5th June 2014

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(a) to make rules of court under section 1, of that Act, after consulting in accordance with section 2(6)(a) of that Act, makes the following rules:

Citation, commencement and interpretation

1. These Rules may be cited as the Civil Procedure (Amendment No. 5) Rules 2014 and shall come into force on 5th June 2014.
2. In these Rules a reference to a rule by number alone means the rule so numbered in the Civil Procedure Rules 1998(b).

Amendments to the Civil Procedure Rules 1998

3. In rule 3.8—
 - (a) in paragraph (3)(b), after “agreement between the parties” insert “except as provided in paragraph (4)”;
 - (b) after paragraph (3) insert—

“(4) In the circumstances referred to in paragraph (3) and unless the court orders otherwise, the time for doing the act in question may be extended by prior written agreement of the parties for up to a maximum of 28 days, provided always that any such extension does not put at risk any hearing date.”.
4. In rule 54.22, after paragraph (2) insert—

“(3) The President of the Queen’s Bench Division will be responsible for the nomination of specialist planning judges to deal with Planning Court claims which are significant within the meaning of Practice Direction 54E, and of other judges to deal with other Planning Court claims.”.

(a) 1997 c.12. Section 2(1) was substituted by the Constitutional Reform Act 2005 (c.4), section 15 and Schedule 4 Part 1. Section 1(3) was substituted by section 82(1) of the Courts Act 2003 (c.39) and further amended by the Constitutional Reform Act 2005 section 15, 146, Schedule 4 Part 1 paragraphs 261 and 262 and Schedule 18 paragraph 2. Section 1(1) has been amended by the Crime and Courts Act 2014 (c.22), section 17(5) and Schedule 9, Part 3, paragraph 67(a).

(b) S.I. 1998/3132, to which there are relevant amendments in S.I., 2013/262 and 2014/867.

Amendment of the Civil Procedure (Amendment) Rules 2014

5. In the Civil Procedure (Amendment) Rules 2014(a), in rule 4(a)—
- (a) in subparagraph (iii), at the end, after “;” insert “and”; and
 - (b) in subparagraph (iv), at the end, for “; and” substitute “.”

Amendment to the Civil Procedure (Amendment No. 4) Rules 2014

6. In the Civil Procedure (Amendment No. 4) Rules 2014(b), in rule 25(1) omit “to which that rule applied and”.

*The Right Honourable Lord Dyson, MR
Stephen Richards, LJ
Peter Coulson, J
Philip Sales, J
His Honour Judge Martin McKenna
District Judge Michael Hovington
District Judge Christopher Lethem
William Featherby QC
Edward Pepperall QC
Andrew Underwood
Tim Lett
Kate Wellington*

I allow these rules
Signed by authority of the Lord Chancellor

Date

Minister of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

These Rules amend—

- (a) rule 3.8 of the Civil Procedure Rules 1998 (CPR), to provide that where a rule, practice direction or court order requires a party to do something within a specified time and specifies the consequences of failure to comply, the parties may, by prior written agreement, extend up to a maximum of 28 days the time for doing the act in question, provided that any hearing date is not put at risk as a result;
- (b) rule 54.22, to provide that the President of the Queen’s Bench Division will be responsible for nomination of both specialist planning judges and other judges to hear Planning Court claims;
- (c) rule 4 of the Civil Procedure (Amendment) Rules 2014 (SI 2014/407), to remove a typographical error which would otherwise suggest that the list included in that rule is incomplete; and
- (d) rule 25(1) of the Civil Procedure (Amendment No. 4) Rules 2014 (SI 2014/867), to remove a potential doubt as to the effect of that transitional provision in respect of an amendment made in the same Rules to rule 3.12(1) CPR.

(a) S.I. 2014/407.
(b) S.I. 2014/867.