

# PRACTICE DIRECTION – TECHNOLOGY AND CONSTRUCTION COURT

**THIS PRACTICE DIRECTION SUPPLEMENTS CPR PART 49  
AND REPLACES, WITH MODIFICATIONS, ORDER 36 OF THE  
RULES OF THE SUPREME COURT**

## **GENERAL**

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- 1.1 This practice direction applies to the business of the Technology and Construction Court (“the TCC”).
- 1.2 TCC business means any claim which involves issues or questions which are technically complex or for which a trial by a judge of the TCC is for any other reason desirable.
- 1.3 TCC business may be dealt with either in the High Court or, subject to paragraph 2.3 below, in the County Court but cases allocated to the TCC will, unless and until a judge of the TCC otherwise directs, be dealt with by a judge of the TCC.

## **COMMENCEMENT OF PROCEEDINGS**

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- 2.1 Before the issue of a claim form relating to TCC business, the claim form, whether to be issued in the High Court or in the County Court, should be marked in the top right hand corner “Technology and Construction Court” and the claim will then be allocated to the TCC. The words “Technology and Construction Court” should follow the reference to “The \_\_\_\_ County Court” or “The High Court, Queen’s Bench Division”, as the case may be.
- 2.2 The TCC is a specialist list for the purposes of Part 30 of the Civil Procedure Rules but no order for the transfer of proceedings from or to the TCC shall be made unless the parties have either:
  - (a) had an opportunity of being heard on the issue, or
  - (b) consented to the order.
- 2.3 A claim form marked as mentioned in paragraph 2.1 may not be issued in a County Court office other than:
  - (a) a County Court office where there is also a High Court District Registry; or
  - (b) the office of the Central London County Court.

## **CASE MANAGEMENT**

- 3.1 Every claim allocated to the TCC will be allocated to the Multi-track and the Rules relating to track allocation will not apply.
- 3.2 Where a claim has been allocated to the TCC either on issue (ie. in every case in which the claim form has been marked "Technology and Construction Court") or by transfer to the TCC an application for directions (including an application for a fixed date of hearing) shall be made by the claimant within 14 days of the filing by the defendant of an acknowledgment of service or of a defence (whichever is the earlier) or, as the case may be, within 14 days of the date of the order of transfer.
- 3.3 If the claimant does not make an application in accordance with paragraph 3.2, any other party may do so or may apply for the claim of the claimant in default to be struck out or dismissed.
- 3.4 Any application under paragraph 3.2 or 3.3 must be made to a judge of the TCC.

## **THE CIVIL PROCEDURE RULES**

4. The Civil Procedure Rules and the practice directions supplementing them apply to TCC business subject to the provisions of this and any other TCC practice direction.