

TECHNOLOGY AND CONSTRUCTION COURT CLAIMS

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60.1 General

- (1) This Part applies to Technology and Construction Court claims ('TCC claims').
- (2) In this Part and its practice direction –
 - (a) 'TCC claim' means a claim which –
 - (i) satisfies the requirements of paragraph (3); and
 - (ii) has been issued in or transferred into the specialist list for such claims;
 - (b) 'Technology and Construction Court' means any court in which TCC claims are dealt with in accordance with this Part or its practice direction; and
 - (c) 'TCC judge' means any judge authorised to hear TCC claims.
- (3) A claim may be brought as a TCC claim if –
 - (a) it involves issues or questions which are technically complex; or
 - (b) a trial by a TCC judge is desirable.

(The practice direction gives examples of types of claims which it may be appropriate to bring as TCC claims.)

- (4) TCC claims include all official referees' business referred to in section 68(1)(a) of the Supreme Court Act 1981¹.
- (5) TCC claims will be dealt with:
 - (a) in a Technology and Construction Court; and
 - (b) by a TCC judge, unless –
 - (i) this Part or its practice direction permits otherwise, or
 - (ii) a TCC judge directs otherwise.

60.2 Specialist list

- (1) TCC claims form a specialist list.
- (2) A judge will be appointed to be the judge in charge of the TCC specialist list.

¹ 1981 c.54.

60.3 Application of the Civil Procedure Rules

These Rules and their practice directions apply to TCC claims unless this Part or a practice direction provides otherwise.

60.4 Issuing a TCC claim

A TCC claim must be issued in –

- (a) the High Court in London;
- (b) a district registry of the High Court; or
- (c) a county court specified in the practice direction.

60.5 Reply

Part 15 (Defence and Reply) applies to TCC claims with the modification to rule 15.8 that the claimant must –

- (a) file any reply to a defence; and
- (b) serve it on all other parties;
within 21 days after service of the defence.

60.6 Case management

- (1) All TCC claims are treated as being allocated to the multi-track and Part 26 does not apply.
- (2) Part 29 and its practice direction apply to the case management of TCC claims, except where they are varied by or inconsistent with the practice direction to this Part.

60.7 Judgments and Orders

- (1) Except for orders made by the court of its own initiative and unless the court otherwise orders, every judgment or order made in claims proceeding in the Technology and Construction Court will be drawn up by the parties, and rule 40.3 is modified accordingly.
- (2) An application for a consent order must include a draft of the proposed order signed on behalf of all the parties to whom it relates.
- (3) Rule 40.6 (consent judgments and orders) does not apply.