

CONTENTS

VOLUME I RULES AND PRACTICE DIRECTIONS

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

PRACTICE DIRECTION

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

PRACTICE DIRECTION

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

PRACTICE DIRECTION

PART 7 HOW TO START PROCEEDINGS – THE CLAIM FORM

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

PRACTICE DIRECTIONS:

HOW TO START PROCEEDINGS

B. CONSUMER CREDIT ACT CLAIM

C. PRODUCTION CENTRE

D. CLAIMS FOR THE RECOVERY OF TAXES

PART 8 ALTERNATIVE PROCEDURE FOR CLAIMS

- Rule 8.1 Types of claim in which Part 8 procedure may be followed
- Rule 8.2 Contents of the claim form
- 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 Part 8 procedure
- Rule 8.9 Modifications to the general rules

PRACTICE DIRECTIONS:

ALTERNATIVE PROCEDURE FOR CLAIMS

B. HOW TO MAKE CLAIMS IN SCHEDULE RULES AND OTHER CLAIMS

PART 9 RESPONDING TO PARTICULARS OF CLAIM – GENERAL

- Rule 9.1 Scope of this Part
- Rule 9.2 Defence, admission or acknowledgment of service

PART 10 ACKNOWLEDGMENT OF SERVICE

- 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

PART 11 DISPUTING THE COURT'S JURISDICTION

- Rule 11 Procedure for disputing the court's jurisdiction

PART 12 DEFAULT JUDGMENT

- 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

PART 13 SETTING ASIDE OR VARYING DEFAULT JUDGMENT

- 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 Claimant's duty to apply to set aside judgment
- Rule 13.6 Abandoned claim restored where default judgment set aside

PART 14 ADMISSIONS

- 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 claim for 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 Contents 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 ADMENDMENTS 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

PART 18 FURTHER INFORMATION

- Rule 18.1 Obtaining further information
- Rule 18.2 Restriction on use of further information

PRACTICE DIRECTION

PART 19 ADDITION AND SUBSTITUTION OF PARTIES

- Rule 19.1 Change of parties – general
- Rule 19.2 Provisions applicable where two or more persons are jointly entitled to a remedy
- Rule 19.3 Procedure for adding and substituting parties

Rule 19.4 Special provisions about adding or substituting parties after the end of a relevant limitation period

PRACTICE DIRECTION

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

PRACTICE DIRECTION

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

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 it 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

PRACTICE DIRECTIONS

INTERIM INJUNCTIONS

B. INTERIM PAYMENTS

C. ACCOUNTS & INQUIRIES

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

PRACTICE DIRECTION

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 27.12 Right of appeal under Part 27
- Rule 27.13 Procedure for making an appeal
- 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

PART 28 THE FAST TRACK

- 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 Listing questionnaire
- Rule 28.6 Fixing or confirming the trial date and giving directions
- Rule 28.7 Conduct of trial

PRACTICE DIRECTION

PART 29 THE MULTI-TRACK

- 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 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 the trial

PRACTICE DIRECTION

PART 30 TRANSFER

- 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 Certiorari or prohibition

PRACTICE DIRECTION

PART 31 DISCLOSURE AND INSPECTION OF DOCUMENTS

- 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
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

PART 33 MISCELLANEOUS RULES ABOUT EVIDENCE

- 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
PRACTICE DIRECTION

PART 34 DEPOSITIONS AND COURT ATTENDANCE BY WITNESSES

- Rule 34.1 Scope of this Part
- 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 34.14 Fees and expenses of examiner
- Rule 34.15 Examiners of the court

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 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 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 36.3 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
- 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

PRACTICE DIRECTION

B. COURT SITTINGS

PART 40 JUDGMENTS AND ORDERS

- Rule 40.1 Scope of this Part
- 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 acknowledgment 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

PRACTICE DIRECTIONS:

ACCOUNTS & INQUIRIES

B. JUDGMENTS & ORDERS

C. STRUCTURED SETTLEMENTS

PART 41 PROVISIONAL DAMAGES

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

PRACTICE DIRECTION

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 COSTS 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 44.4 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 44.13 Special situations
- Rule 44.14 Court's powers in relation to misconduct

PART 45 FIXED COSTS

- Rule 45.1 Scope of this Part
- Rule 45.2 Amount of fixed commencement costs
- Rule 45.3 When defendant only liable for fixed commencement costs
- Rule 45.4 Costs on entry of judgment
- Rule 45.5 Miscellaneous fixed costs

PART 46 FAST TRACK TRIAL COSTS

- 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

PART 47 PROCEDURE FOR DETAILED ASSESSMENT OF COSTS AND DEFAULT PROVISIONS

I General Rules about detailed assessment

- 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

II Costs payable by one party to another – commencement of detailed assessment proceedings

- 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

III Costs payable by one party to another – default provisions

- Rule 47.11 Default costs certificate
Rule 47.12 Setting aside default costs certificate

IV Costs Payable By One Party To Another - Procedure Where Points Of Dispute Are Served

- Rule 47.13 Optional reply
Rule 47.14 Detailed assessment hearing

V Interim costs certificate and final costs certificate

- Rule 47.15 Power to issue an interim certificate
Rule 47.16 Final costs certificate

VI Detailed assessment procedure for costs of an assisted person where costs are payable out of the legal aid fund

- Rule 47.17 Detailed assessment procedure for costs of an assisted person where costs are payable out of the legal aid fund

VII Costs of detailed assessment proceedings

- 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

VIII Appeal against decisions in detailed assessment proceedings

- Rule 47.20 Right to appeal

- Rule 47.21 Preliminary requirements for bringing an appeal
- Rule 47.22 Court to hear appeal
- Rule 47.23 Duty to seek reasons
- Rule 47.24 Obtaining the court's permission to appeal
- Rule 47.25 Appeal procedure
- Rule 47.26 Powers of the court on appeal

PART 48 COSTS – SPECIAL CASES

I Costs payable by or to particular persons

- 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

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 Conditional fees
- Rule 48.10 Assessment procedure

COSTS PRACTICE DIRECTION (COVERS RULE PARTS 43-48)

VOLUME II

PART 49 SPECIALIST PROCEEDINGS

- Rule 49 Specialist proceedings
- PRACTICE DIRECTIONS:**
- CONTENTIOUS PROBATE PROCEEDINGS**
- B. APPLICATIONS UNDER THE COMPANIES ACT 1985**
- C. TECHNOLOGY & CONSTRUCTION COURT**
- D. COMMERCIAL COURT**
- E. PATENTS etc.**
- F. ADMIRALTY**
- G. ARBITRATION**
- H. MERCANTILE COURTS AND BUSINESS LISTS**

PART 50 APPLICATION OF THE SCHEDULES

- Rule 50 Application of the Schedules

PART 51 TRANSITIONAL ARRANGEMENTS

Rule 51 Transitional Arrangements
PRACTICE DIRECTION

Glossary

VOLUME II

SCHEDULE 1

RSC Rules

PRACTICE DIRECTIONS TO SUPPLEMENT
RSC ORDER 11
RSC ORDER 31
RSC ORDER 53
RSC ORDER 54

SCHEDULE 2

CCR Rules

PRACTICE DIRECTION SUPPLEMENTS RSC ORDER 52 & CCR ORDER 29

VOLUME III

OTHER PRACTICE DIRECTIONS

COURT OF APPEAL

INSOLVENCY

DIRECTORS DISQUALIFICATION PROCEEDINGS

USE OF WELSH LANGUAGE IN CASES IN THE CIVIL COURTS IN WALES

PRE-ACTION PROTOCOLS

PERSONAL INJURY CLAIMS

RESOLUTION OF CLINICAL DISPUTES

PRE-ACTION PROTOCOL PRACTICE DIRECTION

FORMS

