

# Notes to Accompany 1<sup>st</sup> October 2011 56<sup>th</sup> and 57<sup>th</sup> Update

## Introduction

The 56<sup>th</sup> Update to the Civil Procedure Rules contained only one amendment which was an extension of the Automatic Orders Pilot (Practice Direction 51B) until 30 September 2011. The pilot is extended again in the 57<sup>th</sup> Update to 31 March 2012.

The 57<sup>th</sup> Update to the Civil Procedure Rules introduce changes in a number of areas. Amendments come into force on 1 October 2011 with the exception of:

Amendments to Part 6 that allow service of documents on a solicitor acting for the defendant, where the business address for service of the solicitor is in Scotland or Northern Ireland, come into force on 1 September 2011;

A minor amendment to Part 79 to correct an error comes into force on 1 September 2011; other amendments come into force on 1 October 2011;

Amendments to PD7C, PD7E, PD55B and consequential amendments to Part 6 relating to the address for service to be used for claims issued through the electronic issue of claim schemes come into force on 1 September 2011;

Practice Direction 51F – Non-disclosure injunctions information collection pilot scheme which came into force on 1 August 2011; and

Practice Direction – County Court Closures which came into force 6 August 2011.

## Please note:

Statutory Instrument 2011 No. 1402 The Patents County Court (Financial Limits) Order 2011 came into force on 14 June 2011. The Order sets out the financial limits in relation to proceedings in England and Wales within the special jurisdiction of a patents county court.

## Changes to forms

Forms N5B, N11B, N215 and N242A and Precedent Form HA (annexed to PD51D) are amended.

Form N5C is deleted.

## Rules

### Part 6

New text inserted after Rule 6.7(2)(a)

Text substituted in second set of parentheses following Rule 6.7

New text inserted in Rule 6.8

Text substituted in the first set of parentheses following Rule 6.8

Next text inserted and substituted in the parentheses at the end of Rule 6.23(2)

### Part 36

Next text inserted after Rule 36.14(1)

**Part 79**                      New text substituted in Rule 79.14C(2)(b)  
Next text inserted in Rule 79.23(1)(b)(ii)  
Text omitted in Rule 79.23(1)(b)(iii)  
Text omitted in Rule 79.23(1A)

#### **Practice Directions**

**Practice Direction 7C**    New text substituted in paragraph 2.3(7)  
**Practice Direction 7E**    New text inserted after paragraph 4(3)  
New text substituted in paragraph 4(6)  
**Practice Direction 27**    New text substituted in paragraph 7.3(1)  
**Cost Practice Direction** New text inserted after paragraph 23A.5  
New text inserted in paragraph 52.4  
**Practice Direction 51B**   New text substituted in paragraph 1.1B(1)  
**Practice Direction 51D**   New text substituted in paragraph 1.1(1)  
New text substituted in paragraph 2(3) in inserted paragraph 6.5  
New text inserted in paragraph 5.1  
New text substituted in paragraph 5.3  
New text inserted after paragraph 5.3  
New text inserted in paragraph 5.5  
New text substituted in paragraph 5.6  
Precedent HA substituted  
**Practice Direction 51E**   New text substituted in paragraph 1.1  
**Practice Direction 51F**   New Practice Direction inserted  
**Practice Direction 51G**   New Practice Direction inserted  
**Practice Direction 52**    New text inserted in table following paragraph 20.3  
Text deleted in paragraph 22.3(1)(h)  
New text substituted in paragraph 22.3(1)(i)  
New text inserted after paragraph 22.3(1)(i)  
New text inserted in table following paragraph 22.3  
**Practice Direction 55B**   New text inserted after paragraph 5.1(3)  
New text substituted in paragraph 5.1(4)  
**Practice Direction 64B**   New text substituted for paragraph 6.1  
New text substituted for paragraph 6.2  
New text substituted for paragraph 7.2  
Text omitted in paragraph 7.4  
New text substituted for paragraph 7.8(2)

#### **Other Practice Directions**

**Practice Direction – County Court Closures**  
New Practice Direction inserted

#### **Pre Action Protocols**

**Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents**  
New text substituted in paragraph 7.55 (a)  
New text substituted in paragraph 7.55(b)

#### **Forms**

New versions of N5B, N11B, N215 and 242A are made available.

Form N5C is deleted.