

173rd UPDATE – PRACTICE DIRECTION AMENDMENTS

The amendments to Practice Direction 51R – Online Civil Money Claims Pilot which supplements the Civil Procedure Rules 1998, are made by the Master of the Rolls under the powers delegated to him by the Lady Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and are approved by Heidi Alexander, Minister of State (Ministry of Justice), by the authority of the Lord Chancellor.

The amendments come into force on 8 October 2024 and apply to all claims submitted to the court using the OCMC website on or after the in force date.



The Right Honourable Sir Geoffrey Vos
Master of the Rolls and Head of Civil Justice



Signed by authority of the Lord Chancellor:

Heidi Alexander

Minister of State

Ministry of Justice

Date: 27 September 2024

PRACTICE DIRECTION 51R – ONLINE CIVIL MONEY CLAIMS PILOT

1) In the table of contents –

a) after the entry for paragraph 4.3, insert –

“

SECTION 4A – WELSH LANGUAGE – PARTIES ACTING IN PERSON	
Application of this Section	Paragraph 4A.1
Submission of claim in Welsh	Paragraph 4A.2
Completion of screens in Welsh	Paragraph 4A.3

“
”

b) for the entry for paragraph 5.2, substitute –

“

Defendant to complete online directions questionnaire, to tell the court about their hearing requirements	Paragraph 5.2
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“
”

c) omit the entry for paragraph 6B.1;

d) for the entry for paragraphs 7.2 to 7.17, substitute—

“ “

Sub-section B – Defendant admits the whole of the claim using admission screens on the OCMC website and makes no other response”	Paragraphs 7.2 to 7.17
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“
”

e) for the entry for paragraph 7.47, substitute –

“

Sub-section F – Admission submitted electronically, but not using the admission response screens	Paragraph 7.47
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“.

f) for the entry for Section 10, substitute—

“

SECTION 10 – Defendant acting in person - Defendant's response on paper	
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“.

g) for the entry for paragraph 10.2, substitute—

“

Defendant's response on paper – claim to be sent out of Online Civil Money Claims	Paragraph 10.2
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“.

h) omit the entries for paragraphs 10.3, 10.4 and 10.5;

i) for the entry for paragraph 13.1, substitute –

“

SECTION 13 – Confirming that the contents of claims, defences and paper defences are true (statements of truth)	
Confirming that the contents of claims, defences and paper defences are true (statement of truth)	Paragraph 13.1

”.

2) In paragraph 1.1—

- a) omit the definition of “Form OCON180”;
- b) for the definition of “online claim form”, substitute –
““online claim form” means the claim form that has been completed using the relevant screens on the OCMC website;”;
- c) after the definition of “online claim form”, insert –
““online directions questionnaire” means the questionnaire that the parties complete and submit using the relevant screens on the OCMC website to tell the court about their hearing requirements, should a court hearing be necessary;”;
- d) in the definition of “paper response form”, for “ – Respond to a money claim” substitute “Form N9A and N9B”;
- e) for the definition of “preferred court”, insert –
“ “preferred court” means –
 - (a) if the defendant is not an individual and the claimant has submitted an online directions questionnaire, the county court hearing centre specified in the claimant’s online directions questionnaire; or
 - (b) in all other cases, the county court hearing centre specified in the defendant’s online directions questionnaire;”;
- f) in the definition of “stay”, for “an order of the court that stops the proceedings from progressing” substitute “a halt in proceedings”.

3) In paragraph 2.1—

- a) for subparagraph (3)(a), substitute –
““(a) the claim is a claim for a specified amount of money only not exceeding £25,000 including interest;”.
- b) for subparagraph (3)(l), substitute –

“(l). the claim is conducted in English, save that a party acting in person may view and complete screens, and submit the completed screens, in Welsh;”;

c) omit subparagraph (6).

4) In paragraph 4.1(1)(a), omit “if acting in person, complete form number OCON1, or if being represented by a legal representative”.

5) In paragraph 4.3—

a) for subparagraph (1) substitute—

“**4.3(1)** Unless the claimant is acting in person and – (a)
had made an application for Help with Fees; or
(b) has exercised the option to submit the claim in Welsh, when the court receives a submitted claim form from the claimant and the fee for issuing the claim is paid in full, the court must issue the claim.”;

b) after subparagraph (1A) insert—

“(Section 4A contains provisions about the Welsh language, including submitting the claim in Welsh.)”.

6) After Section 4, insert –

“SECTION 4A – WELSH LANGUAGE – PARTIES ACTING IN PERSON”

Application of this Section

4A.1 This Section applies in relation to any party who is acting in person.

Submission of claim in Welsh

4A.2 The claim must be issued in English, but if the claimant submitted the claim in Welsh, the court must issue the claim only once –

(a) the court has sent the claim for translation into English and it has been translated; and

(b) the court has provided the translation to the claimant.

Completion of screens in Welsh

4A.3(1) If, after a claim has been issued, a party provides information to the court by using screens completed and submitted in Welsh, the court must send them for translation into English (“the English translation”), and then provide a copy of the English translation to the parties.

(2) If a party has submitted screens in Welsh, any time period calculated by reference to the date of submission or notification of the completed screens starts on the date on which the court provides the English translation to the party subject to the time period.”.

7) For paragraph 5.1, substitute—

“5.1-(1) If the defendant decides to respond to the claim and is able to do so online, and unless the parties have agreed a time extension under subparagraph (3), the defendant must respond to the claim by 4pm on the 28th day after the issue of the claim form.

(2) The defendant responds to the claim by completing the appropriate form or screens (“response form”) and submitting the response form to the court in the appropriate manner, depending on the nature of their response, as set out in Table A.

TABLE A

Nature of response	Appropriate response form to use	How to submit response form (electronically via OCMC website, or in paper copy to Online Civil Money Claims postal address set out in paragraph 2.1(2))
Defend the whole of the claim	The relevant defence response screens on the OCMC website	Electronically, using the OCMC website

Defend part of the claim/admit part of the claim	The relevant defence response screens on the OCMC website	Electronically, using the OCMC website
Nature of response	Appropriate response form to use	How to submit response form (electronically via OCMC website, or in paper copy to Online Civil Money Claims postal address set out in paragraph 2.1(2))
Defence and counterclaim	Form N9B	Paper copy to the OCMC postal address
Defence and notice of additional claim	Form N9B Defence and Counterclaim (specified amount)	Paper copy to the OCMC postal address
Defence and additional claim	Form N9B Defence and Counterclaim (specified amount)	Paper copy to the OCMC postal address
Admission	The relevant admission response screens on the OCMC website	Electronically, using the OCMC website

(3) The parties may agree an extension of time to respond of up to 28 days in total. The defendant must record on the OCMC website any such agreed extension of time before the expiry of the original 28 day time limit.

(4) If a time extension has been agreed and recorded under subparagraph (3), the defendant must respond to the claim using the OCMC website by 4pm on the last day of the agreed extended time.

(5) If the parties have agreed an extension of time of less than 28 days but then wish to increase the extension up to 28 days in total, the defendant must file an application at the CNBC.

(6) On receipt of the application under subparagraph (5), the court is to send the claim out of Online Civil Money Claims.

(7) If at first the defendant had been unable to respond online and had instead contacted the court and been given more time under paragraph 10.1(6) to respond on paper, if the defendant then became able to respond online, the defendant must still submit their completed response form on time. The form is submitted on time if it is received by the court within 28 days after the date that the court sent the paper response form to the defendant, or such longer period up to an additional 28 days as agreed between the parties and as notified to the court.

(8). The court must tell the claimant when it receives the defendant's response form.

(9). If the defendant does not submit the relevant response form to the court on time, the claimant may request a default judgment from the court, and paragraph 11.1 will apply.”.

8) For paragraph 5.2, substitute –

“Defendant to complete online directions questionnaire , to tell the court about their hearing requirements

“5.2- (1) This paragraph applies where the defendant wishes to defend the whole of the claim, or defend part and admit part of the claim and will be using the relevant response screens on the OCMC website to make the response.

(2) At the same time that the defendant submits the completed response form to the court in accordance with paragraph 5.1, the defendant must also submit their completed online directions questionnaire to the court, to tell the court what requirements the defendant would have, should a court hearing be necessary.”.

9) In paragraph 6.1—

a) for subparagraph (2), substitute—

“(2) Sub-section B applies if –

(a) the claim is a claim for a specified amount of money only not exceeding £10,000; and

(b) before or at the same time that the response form has been received by the court, the defendant has indicated to the court that they do not wish to opt out of mediation.”;

b) for subparagraph (3), substitute—

“(3) Sub-section C applies if –

(a) the claim is a claim for a specified amount of money only exceeding £10,000; or

(b) the defendant is not willing to mediate.”;

10) In paragraph 6.2(5), for “completed form OCON180” substitute “their completed online directions questionnaire”.

11) For paragraph 6.2 (8), substitute—

“6.2(8) The claimant must tell the court if a settlement is reached. The claimant must also tell the court if the parties have agreed that the claim can be discontinued by sending form N279 Notice of Discontinuance to the “CNBC” (as defined). If the claimant discontinues the claim the court must send the claim form out of the pilot to the “CNBC” (as defined) for the claim to proceed as if it had been started under CPR Part 7.”.

12) In paragraph 6.2(10), omit everything except the first sentence.

13) In paragraph 6.2(11), for “an application for judgment, enforcement or for the claim to be resumed”, substitute “a further application in relation to the settlement agreement”.

14) In the words in brackets following paragraph 6.2(14), for “OCON180” substitute “online directions questionnaire”.

- 15) In paragraph 6.3(5), for “completed form OCON180” substitute “their completed online directions questionnaire”.
- 16) In paragraph 6.3(6), for “form OCON180” substitute “online directions questionnaire”.
- 17) In the words in brackets following paragraph 6.3(8), for “form OCON180” substitute “online directions questionnaire”.
- 18) In the words in brackets following paragraph 6A.5(10), after “party’s” insert “online”.
- 19) Omit section 6B.
- 20) In paragraph 7.1—

- a) for subparagraph (2), substitute—

“(2) Sub-section B applies only to full admissions, where the defendant uses the response screens on the OCMC website to make the admission of the whole of the claim and makes no other response.”;

- b) for subparagraph (4), substitute—

“(4) Sub-section D applies where the defendant part admits the claim and defends the rest of it, and uses the response screens on the OCMC website to make the part admission and part defence.”;

- c) for subparagraph (5), substitute—

“(5) Sub-section E applies to both full and part admissions, where the defendant uses the response screens on the OCMC website to make the admission and there has been a change of circumstances.”;

- d) for subparagraph (6), substitute—

“(6) Sub-section F applies to both full and part admissions, where the defendant responds electronically, but does not use the response screens on the OCMC website to make the admission.”.

- 21) For paragraph 7.2, substitute—

“Sub-section B – Defendant admits the whole of the claim using admission screens on the OCMC website and makes no other response

7.2 This sub-section applies where the defendant admits the whole of the claim, and the defendant uses the response screens on the OCMC website to make the admission and makes no other response.”.

22) In paragraph 7.12(5), for “using the OCMC website” substitute “to the court by email, or on paper to the OCMC postal address (as defined)”.

23) In paragraph 7.14(7), for “using the OCMC website” substitute “to the court by email, or on paper to the OCMC postal address (as defined)”.

24) In paragraph 7.15(7), for “Online Civil Money Claims” substitute “the court, by email, or on paper to the OCMC postal address (as defined)”.

25) For paragraph 7.37, substitute—

“7.37 This sub-section applies where the defendant part admits the claim and defends the rest of the claim and uses the response screens on the OCMC website to make the part admission and part defence.”.

26) In paragraph 7.38 (c), for “claimant” substitute “defendant”.

27) In paragraph 7.42C(5), for “using the OCMC website” substitute “to the court, by email, or on paper to the OCMC postal address (as defined)”.

28) In paragraph 7.42E(7), for “using the OCMC website” substitute “to the court, by email, or on paper to the OCMC postal address (as defined)”.

29) In paragraph 7.42F(7), for “Online Civil Money Claims” substitute “the court, by email, or on paper to the OCMC postal address (as defined)”.

30) For both the headings after 7.46(5), substitute the following single heading—

“Sub-section F – Admission submitted electronically, but not using the admission response screens”.

31) For paragraph 7.47(1)(c), substitute—

“(c) but not using the admission response screens on the OCMC website to make the whole or part admission; and”.

32) In the heading to section 10, for “PARTIES” substitute “DEFENDANT”.

33) For paragraph 10.A1(1), substitute—

“10.A1(1) This section applies only if the defendant is acting in person.”.

34) Omit paragraph 10.A1(2).

35) In paragraph 10.1(1) –

- a) for “19 days (or, if the claimant is represented but the defendant is not represented, 28 days)”, substitute “28 days”; and
- b) for “22nd March (or, if the claimant is represented but the defendant is not represented, 31st March)” substitute “31st March”.

36) In paragraph 10.1(1A)—

“(1A) If at first the defendant had been able to respond online and had agreed more time to respond online under paragraph 5.1(3), but then became no longer able to respond online, the defendant may respond on paper instead, if the defendant contacts the court on time and tells the court that they still want to respond to the claim. The defendant contacts the court on time if they contact the court within 28 days after the date of issue of the claim form, or within such longer period up to an additional 28 days as agreed between the parties and notified to the court.”.

37) In paragraph 10.1(3)—

- a) omit subparagraph (a);
- b) for subparagraph (b) substitute –

“(b) Form N9A and N9B – Admission form and Defence and Counterclaim form (“paper response form”); and”; and

- c) in subparagraph (c) for “OCON180” substitute “N180 or N181”.

38) In paragraph 10.1(5A)—

- a) for “5.1(7)” substitute “5.1(3)”; and
- b) for “33 days of the date of issue of the claim form” substitute “the agreed extended time.”.

39) For paragraph 10.1(6), substitute—

“10.1(6) If a defendant has not already agreed with the claimant more time under paragraph 5.1(3) to respond to the claim, but would like more time, the defendant

may agree with the claimant an extension of up to 28 days, and must notify the court of the agreed extension within the original 28 day period for responding to the claim.”.

40) Omit paragraph 10.1(7).

41) For paragraph 10.1(8), substitute—

“10.1(8) The defendant must also submit to the court a completed paper response form which must be received by the court within the original 28 day period for responding to the claim, unless the defendant has already informed the court that the parties have agreed an extension of time to respond.”.

42) For paragraph 10.1(9), substitute—

“10.1(9) If the parties have already agreed for more time, the defendant must still submit the completed paper response form on time so that the court receives the form within the agreed extended time.”.

43) In paragraph 10.1(9A), each time it appears, for “OCON180” substitute “N180 or N181 as appropriate”.

44) In paragraph 10.1(10), omit “the time extension form or”.

45) For the heading for paragraph 10.2, substitute “Defendant’s response on paper – claim to be sent out of Online Civil Money Claims”.

46) In paragraph 10.2(1), for “indicates the nature of his response, but it is other than a defence of the whole of the claim only and the defendant submits the completed time extension form (if appropriate) and paper response form on time” substitute “responds on paper”.

47) Omit paragraphs 10.3 to 10.5.

48) For paragraph 10A.1(1) substitute –

“10A.1(1) If the claimant uses the OCMC website to tell the court that the claim has been settled, the court must “stay” the proceedings (as defined) and must notify the defendant. When the court notifies the defendant, it must also tell the defendant that the defendant may contact the court, on time, to object.”.

49) Omit paragraph 10A.1(4).

50) For the heading to Section 13, substitute—

“SECTION 13 – CONFIRMING THAT THE CONTENTS OF CLAIMS, DEFENCES AND PAPER DEFENCES ARE TRUE (STATEMENT OF TRUTH)”

51) For paragraph 13.1, substitute—

“Confirming that the contents of claims, defences and paper defences are true (statement of truth)”

13.1-(1) When the claimant or the claimant’s legal representative submits a claim , the claim must include the following statement of truth signed or otherwise verified by the claimant or their legal representative:

“[I believe] [The claimant believes] that the facts stated in this claim are true. [I understand] [The claimant understands] that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.”

(2) When the defendant or the defendant’s legal representative submits a defence or paper defence (as appropriate), the defence must include the following statement of truth signed or otherwise verified by the defendant or their legal representative:

“[I believe] [The defendant believes] that the facts stated in this defence are true. [I understand] [The defendant understands] that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.”

52) In paragraph 19.1(5), for “OCON180” until the end of the sentence, substitute “N180, N181 or online directions questionnaires is treated as that party’s completed directions questionnaire form N180 or N181 as appropriate, completed under Civil Procedure Rules Part 26.”

53) In paragraph 20.3(4), after “or online” insert “if that is available”.

54) For the wording in column 2 (headed “power or function”) of the row numbered 1 in the schedule to section 20: Table A, substitute—

“Power to consider completed online directions questionnaires and, where it is appropriate, to make standard directions about how the progress of the claim is to be managed, and send claim out of the pilot after completed online directions questionnaires have been submitted and directions made. The power to give case management directions is not limited to the other matters specified in this table A.”.

55) For paragraph 21.1(2), substitute—

“21.1 (2) A party may only use MyHMCTS to file notice of change of solicitor where –

(a) the claimant is legally represented and —

(i) the change is from one legal representative to another;
or

(ii) the defendant who was acting in person is to be represented by a legal representative;

(b) the claimant was acting in person is to be represented by a legal representative; or

(c) the claimant is acting in person and the defendant was also acting in person but is to be represented by a legal representative, in circumstances where the incoming legal representative is registered with MyHMCTS and has been provided with access to Online Civil Money Claims.”.

56) For paragraph 21.1(3), substitute—

“21.1(3) If a party files a notice of change and either does not use MyHMCTS to file the notice, or used MyHMCTS to file the notice under subparagraph (2)(c), the court must transfer the claim out of Online Civil Money Claims to continue –

(a) at the CNBC; or

(b) if the claim has been sent to a County Court hearing centre, at that hearing centre,

as if it had been started under CPR Part 7.”.

57) In paragraph 21.1(4), for “filed and” substitute “filed under sub-paragraph (2)(a)(ii) so”.