

120th UPDATE – PRACTICE DIRECTION AMENDMENTS

The amendments to Practice Direction 51Z supplementing the Civil Procedure Rules 1998 are made by the Master of the Rolls under the powers delegated to him by the Lord Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and is approved by the Lord Chancellor.

The amendments to the Practice Direction come into force on the day after the day on which this Update is approved.

The Right Honourable Sir Terence Etherton
Master of the Rolls and Head of Civil Justice

The Right Honourable Robert Buckland QC MP
Lord Chancellor:
Date: 17th April 2020

EXPLANATORY PROVISION

- 1) The amendments made by this Update to Practice Direction 51Z are, like Practice Direction 51Z itself, made as part of a process of assessing modifications to the operation of the Civil Procedure Rules and Practice Directions that may be necessary during the Coronavirus pandemic with the intention of ensuring that the administration of justice, including the enforcement of orders, is carried out so as not to endanger public health and in recognition of limited court resources during the pandemic.

PRACTICE DIRECTION 51Z – STAY OF POSSESSION PROCEEDINGS AND EXTENSION OF TIME LIMITS - CORONAVIRUS

- 2) In paragraph 2, at the beginning, for “All” substitute “Subject to paragraph 2A, all”.
- 3) After paragraph 2, insert—

“2A. Paragraph 2 does not apply to—

(a) a claim against trespassers to which rule 55.6 applies;

(b) an application for an interim possession order under Section III of Part 55, including the making of such an order, the hearing required by rule 55.25(4), and any application made under rule 55.28(1); or

(c) an application for case management directions which are agreed by all the parties.”

4) In paragraph 3, at the end insert “, and the fact that a claim to which paragraph 2 applies will be stayed does not preclude the issue of such a claim”.