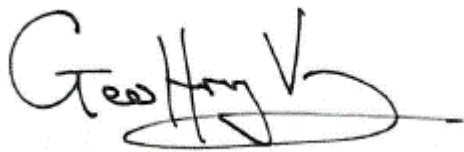


## 186<sup>TH</sup> UPDATE – PRACTICE DIRECTION AMENDMENTS

The amendments to the Practice Directions which supplement 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 are approved by Sarah Sackman KC, Minister of State, by the authority of the Lord Chancellor.

The amendments to the existing Practice Directions come into force as follows—	
Practice Direction 5C – CE-File Electronic Filing and Case Management System	1 <sup>st</sup> October 2025
Practice Direction 6B – Service Out of the Jurisdiction	1 <sup>st</sup> October 2025
Practice Direction 16 – Statements of Case	1 <sup>st</sup> October 2025
Practice Direction 30 – Transfer	1 <sup>st</sup> October 2025
Practice Direction 31A – Disclosure and Inspection	1 <sup>st</sup> October 2025
Practice Direction 31C – Disclosure and Inspection in Relation to Competition Claims	1 <sup>st</sup> October 2025
Practice Direction 34A – Depositions and Court Attendance by Witnesses	1 <sup>st</sup> October 2025
Practice Direction 46 – Costs Special Cases	1 <sup>st</sup> October 2025, but subject to the transitional provision, below
Practice Direction 51O – Electronic Working Pilot Scheme	1 <sup>st</sup> October 2025
Practice Direction 52D – Statutory Appeals and Appeals Subject to Special Provision	1 <sup>st</sup> October 2025
Practice Direction – Appeals By Way of Case Stated	1 <sup>st</sup> October 2025
Practice Direction 62 – Arbitration	1 <sup>st</sup> October 2025
Practice Direction 64B – Applications to the Court for Directions by Trustees in Relation to the Administration of the Trusts	1 <sup>st</sup> October 2025
Practice Direction – Competition law – Claims Relating to the Application of Chapters I and II of Part I of the Competition Act 1998	1 <sup>st</sup> October 2025

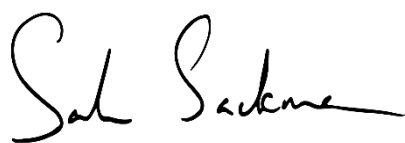
Transitional Provision	1 <sup>st</sup> October 2025
Schedule: Practice Direction 5C – CE-File Electronic Filing and Case Management System	1 <sup>st</sup> October 2025



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

Signed by authority of the Lord Chancellor:



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Sarah Sackman KC

Minster of State

Ministry of Justice

Date: 16/07/2025

## **TRANSITIONAL PROVISION**

- 1) The amendment in this Update to paragraph 3.4 of Practice Direction 46 applies only to an amount for the time reasonably spent by a self represented litigant doing the work (as provided in rule 46.5(4)(b)) on or after the date that the amendment comes into force.

## **PRACTICE DIRECTION 5C – CE-FILE ELECTRONIC FILING AND CASE MANAGEMENT SYSTEM**

- 1) After Practice Direction 5B (communication and filing of documents by e-mail), insert new Practice Direction 5C – CE-File Electronic Filing and Case Management System as set out in the Schedule to this Update.

## **PRACTICE DIRECTION 6B – SERVICE OUT OF THE JURISDICTION**

- 1) In paragraph 4.2, in the second sentence omit “(Room E02)”.

## **PRACTICE DIRECTION 16 – STATEMENTS OF CASE**

- 1) In the table of contents, after the entry for “Competition Act 1998”, insert—

“Digital Markets, Competition and Consumers Act 2024 (“the 2024 Act”)	Para. 13A.1”.
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- 2) After paragraph 13 insert—

### **“Digital Markets, Competition and Consumers Act 2024 (“the 2024 Act”)**

#### **13A.1**

A party who relies on a CMA breach decision (which has the same meaning as in section 102(5) of the Digital Markets, Competition and Consumers Act 2024), must state that in their statement of case, and must—

- (a) identify the CMA breach decision; and

(b) indicate whether the CMA breach decision is final (in accordance with section 102(2) of the 2024 Act).”.

### **PRACTICE DIRECTION 30 – TRANSFER**

- 1) In the table of contents, after the entry for “Transfer to or from the Intellectual Property Enterprise Court (Rule 63.18)”, insert—

“Part 1 of the Digital Markets, Competition and Consumers Act 2024
Transfer from the Competition Appeal Tribunal to the High Court under section 101(5) of the 2024 Act
Transfer from the High Court to the Competition Appeal Tribunal under section 101(5) of the 2024 Act”.

- 2) In paragraph 8.9, for “58.2(1)” substitute “58.1(2)”.
- 3) After paragraph 9.2 insert—

#### **“Part 1 of the Digital Markets, Competition and Consumers Act 2024**

##### **10.1**

In this paragraph—

- (a) “the CAT” has the same meaning as in paragraph 8.1(3);
- (b) “the 2024 Act” means the Digital Markets, Competition and Consumers Act 2024; and
- (c) rules 30.1, 30.4 and 30.5 and paragraphs 3 and 6 of this Practice Direction apply.

#### **Transfer from the Competition Appeal Tribunal to the High Court under section 101(5) of the 2024 Act**

##### **10.2**

Where the CAT pursuant to section 101(5) of the 2024 Act directs transfer of a claim made in proceedings under section 101 of the 2024 Act to the High Court, the claim should be transferred to the Chancery Division of the High Court at the Royal Courts of Justice.

##### **10.3**

A party to a claim which has been transferred under paragraph 10.2 may apply to the Commercial Court for transfer into the Commercial List if the claim falls within the scope of rule 58.1(2).

### **Transfer from the High Court to the Competition Appeal Tribunal under section 101(5) of the 2024 Act**

#### **10.4**

The court may make an order under section 101(5) of the 2024 Act, on its own initiative or on application by the claimant or defendant, transferring any part of the proceedings before it, which relates to a claim under section 101 of the 2024 Act, to the CAT.”.

### **PRACTICE DIRECTION 31A – DISCLOSURE AND INSPECTION**

- 1) Omit paragraph 1.1.
- 2) Renumber paragraphs 1.2 to 1.4 as paragraphs 1.1 to 1.3 respectively.

### **PRACTICE DIRECTION 31C – DISCLOSURE AND INSPECTION IN RELATION TO COMPETITION CLAIMS**

- 1) In the table of contents, in the entries for both paragraphs 1 and 2, after “a competition claim” insert “or digital markets proceedings”.
- 2) in paragraph 1.1—
  - a) in the heading to the paragraph, after “a competition claim” insert “or digital markets proceedings”;
  - b) after sub-paragraph (a), insert—

“(aa) “the 2024 Act” means the Digital Markets, Competition and Consumers Act 2024.”;
  - c) after the words in parenthesis which follow sub-paragraph (b) insert—

“(ba) “digital markets proceedings” has the same meaning as in section 116(4) of the 2024 Act.”;
  - d) in sub-paragraph (d) omit “for damages” and
  - e) in sub-paragraph (e), after “competition claim” insert “or digital markets proceedings”.
- 3) In paragraph 2.1—
  - a) in the heading to the paragraph, after “a competition claim” insert “or digital markets proceedings”; and

b) after sub-paragraph (c), insert—

“(ca) “digital markets investigation information” has the same meaning as in section 116(4) of the 2024 Act;”.

4) In paragraph 2.7(c)(i), after “investigation materials relates” insert “or a competition authority has given notice of the closure or outcome of each investigation to which the request for its digital markets investigation information relates”.

5) After paragraph 2.8, insert—

**“2.8A**

Where the competition authority evidence includes a competition authority’s digital markets investigation information, the application for disclosure or inspection must be supported by evidence that the competition authority has given notice of the closure or outcome of each investigation to which the information relates.”.

**PRACTICE DIRECTION 34A – DEPOSITIONS AND COURT ATTENDANCE BY WITNESSES**

- 1) In paragraph 4.2(1), omit “at foreignprocess.rcj@justice.gov.uk”.
- 2) In paragraph 5.4, omit the words “, by post” to “attention of the Foreign Process Section”.
- 3) In paragraph 6.3, in the opening words, after “rule 34.17 must”, insert “be filed with the Foreign Process Section at the Royal Courts of Justice and”.

**PRACTICE DIRECTION 46 – COSTS SPECIAL CASES**

- 1) In paragraph 3.4 for “£19” substitute “£24”.

**PRACTICE DIRECTION 51O – ELECTRONIC WORKING PILOT SCHEME**

- 1) Omit Practice Direction 51O – Electronic Working Pilot Scheme.

**PRACTICE DIRECTION 52D – STATUTORY APPEALS AND APPEALS SUBJECT TO SPECIAL PROVISION**

- 1) In the table of contents in the entry for paragraph 7.1 after “Competition Act 1998” insert “or to a claim under section 101 of the Digital Markets, Competition and Consumers Act 2024”.
- 2) In paragraph 7.1—

- a) in the heading to the paragraph, after “Competition Act 1998” insert “or to a claim under section 101 of the Digital Markets, Competition and Consumers Act 2024”;
- b) in sub-paragraph (1), after “Competition Act 1998” insert “or to a claim under section 101 of the Digital Markets, Competition and Consumers Act 2024”;
- c) in sub-paragraph (2)—
  - i) in paragraph (a), for “the Act” substitute “the 1998 Act”;
  - ii) after paragraph (a) insert—
 

“(aa) ‘the 2024 Act’ means the Digital Markets, Competition and Consumers Act 2024;”; and
  - iii) in paragraph (d)(ii) for “the Act” substitute “the 1998 Act”;
- d) in sub-paragraph (3), in the opening words, for “the Act” substitute “the 1998 Act or to a claim under section 101 of the 2024 Act”;
- e) in sub-paragraph (5), after “Chapter I or II” insert “of the 1998 Act”; and
- f) after sub-paragraph (5) insert—
 

“(5A) The Competition and Markets Authority may make written observations to the Court of Appeal, or apply for permission to make oral observations, on issues relating to a claim under section 101 of the 2024 Act.”.

## **PRACTICE DIRECTION 52E – APPEALS BY WAY OF CASE STATED**

- 1) For paragraph 2.1 substitute—

### **“2.1**

The procedure for applying to the Crown Court or a Magistrates’ Court to have a case stated for the opinion of the High Court differs according to whether the proceedings are criminal or civil. For criminal proceedings, the procedure is set out in the Criminal Procedure Rules. For civil proceedings, the procedure for applying to the Crown Court is set out in the Crown Court Rules 1982, and for applying to a magistrates’ court, the Magistrates’ Courts Rules 1981.”.

## **PRACTICE DIRECTION 62 – ARBITRATION**

- 1) In the table of contents, omit the entry for paragraph 9.1.
- 2) Omit paragraphs 9.1 to 9.3.
- 3) In paragraph 10.1, omit the second sentence.

## **PRACTICE DIRECTION 64B – APPLICATIONS TO THE COURT FOR DIRECTIONS BY TRUSTEES IN RELATION TO THE ADMINISTRATION OF THE TRUST**

- 1) For paragraph 7.11 substitute—

### **“7.11**

A Master may give the directions sought, whether at a hearing or on paper pursuant to paragraph 6. They will ordinarily do so, but may refer the matter to a High Court Judge if they consider it appropriate. District Judges may give the directions sought only with the consent of their Supervising Judge or their nominee (see PD 2B para. 7B.2(c)).”.

## **PRACTICE DIRECTION – COMPETITION LAW – CLAIMS RELATING TO THE APPLICATION OF CHAPTERS I AND II OF PART I OF THE COMPETITION ACT 1998**

- 1) In the heading of this Practice Direction, after “Competition Act 1998” insert “AND CLAIMS MADE UNDER SECTION 101 OF THE DIGITAL MARKETS, COMPETITION AND CONSUMERS ACT 2024”.
- 2) In the table of contents, for the entry “Notices of proceedings” substitute—

“Notices	Para. 3.1
Stays of claims made under section 101 of the 2024 Act	Para. 3A.1”.

- 3) For paragraphs 1.1 and 1.2 substitute—

### **“1.1**

This Practice Direction applies to any claim—

- (a) relating to the application of Chapter I or Chapter II of Part I of the Competition Act 1998; or
- (b) made in whole or in part under section 101 of the Digital Markets, Competition and Consumers Act 2024.

### **1.2**

In this Practice Direction—

- (a) ‘the 1998 Act’ means the Competition Act 1998;
- (b) ‘the 2024 Act’ means the Digital Markets, Competition and Consumers Act 2024;
- (c) ‘the CMA’ means the Competition and Markets Authority;



- (d) 'CMA breach decision' has the same meaning as in section 102(5) of the 2024 Act;
- (e) 'competition authority' means—
  - (i) the CMA; or
  - (ii) a regulator as defined in section 54 of the 1998 Act.”.
- 4) In paragraph 2.2, in the opening words, for “the Act,” substitute “the 1998 Act, or who makes a claim in whole or in part under section 101 of the 2024 Act,”.
- 5) In paragraph 2.3, for “the statement of case raises an issue relating to the application of Chapter I or II” substitute “this Practice Direction applies”.
- 6) In paragraph 2.4—
  - a) in sub-paragraph (a), at the end, omit “or”; and
  - b) for sub-paragraph (b) substitute—

“(b) the part of the claim made under section 101 of the 2024 Act has been resolved;  
or  
(c) the judge considers that the proceedings or part of the proceedings to be transferred do not fall within the scope of this Practice Direction.”.
- 7) For paragraph 3 substitute—

## **“Notices**

### **3.1**

Any party whose statement of case raises or deals with an issue relating to the application of Chapter I or II or who makes a claim under section 101 of the 2024 Act must serve on the CMA at the same time as serving on the other parties to the claim (addressed to the General Counsel, the Competition and Markets Authority, The Cabot, 25 Cabot Square, London E14 4QZ)—

- (a) a copy of the statement of case; and
- (b) in the case of a claim made in whole or in part under section 101 of the 2024 Act, the Initial Disclosure List of Documents accompanied by copies of the key documents provided to the other parties to the claim pursuant to paragraph 5 of Practice Direction 57AD.

### **3.2**

Within 28 days of being notified of a claim made under section 101 of the 2024 Act, the CMA shall notify the parties and the court in writing—

- (a) whether it has instigated, or has currently decided to instigate, an investigation which concerns the same or similar issues as the claim; or
- (b) if not, whether it has currently decided against such investigation.

### **Stay of claims made under section 101 of the 2024 Act**

#### **3A.1**

(1) The CMA shall either apply to the court for a stay of a claim made under section 101 of the 2024 Act, or apply for directions concerning such claim pursuant to paragraph (2) below, within 7 days of—

- (a) giving notice under paragraph 3.2(a) that it has instigated, or decided to instigate, an investigation which concerns the same or similar issues as the claim; or
- (b) deciding at any other time before the conclusion of the proceedings to instigate such investigation.

(2) If it appears to the CMA there is a good reason why the proceedings should not be stayed, the CMA shall make an application for directions in relation to the claim, so as to enable the court to determine whether it is appropriate to stay the proceedings or give further directions. Any such application shall explain why, in the opinion of the CMA, a stay should not be ordered by the Court.

(3) The Court may deal with an application without a hearing in accordance with rule 23.8.

#### **3A.2**

The parties to the claim shall be made Respondents to an application made by the CMA under paragraph 3A.1. The application notice shall either request a hearing or request that the application be dealt with without a hearing. If a party disagrees with a request by the CMA that the application be dealt with without a hearing, it shall notify the Court, the CMA and all other parties within seven days of receipt of the CMA's application notice and explain why a hearing is required.

#### **3A.3**

When considering whether to stay a claim made under section 101 of the 2024 Act by reason of a CMA investigation the Court must have regard to all the circumstances including—

- (a) the undertaking and digital activity covered by the claim and the investigation;
- (b) the terms and the purpose of the relevant requirement covered by the claim and the investigation;
- (c) the conduct which is the subject of the claim and the investigation;
- (d) the extent to which any factual and/or legal issues considered and determined in the investigation would be relevant to the claim;
- (e) the stage of the proceedings at which the stay is sought, and its likely duration; and
- (f) in the event that the CMA decision to investigate was taken more than 28 days after notification of the claim, any explanation provided by the CMA for the same.

#### **3A.4**

A stay ordered in the circumstances of paragraph 3A.3 shall remain in place for a period of no more than 12 months, unless extended on application by the CMA or otherwise ordered.

#### **3A.5**

An application by the CMA to extend the period of a stay ordered in the circumstances of paragraph 3A.3 must be supported by evidence addressing the progress of the investigation and the period within which it is expected to be completed.

#### **3A.6**

The CMA must notify the court and the parties in writing within seven days of a CMA breach decision becoming binding on the court pursuant to section 102 of the 2024 Act.”.

- 8) In paragraph 4.1A, after “Chapter I or II” insert “or to a claim made in whole or in part under section 101 of the 2024 Act”.
- 9) In paragraph 4.2—
  - a) after “give notice” insert “to the court”; and
  - b) omit the words from “Chancery Chambers” to “WC2A 2LL”.
- 10) In paragraph 4.3, omit the words from “Chancery Chambers” to “WC2A 2LL”.

## SCHEDULE

### PRACTICE DIRECTION 5C – CE-File electronic filing and case management system

*This practice direction supplements CPR rules 5.5 (filing and sending documents) and 7.12 (electronic issue of claims)*

#### Table of contents

Title	Number
General	Para. 1.1
Use of CE-File	Para. 2.1
Filing of documents	Para. 3.1
Urgent applications	Para. 4
CE-File and alternate filing methods	Para. 5.1
Original documents	Para. 6.1
Service	Para. 7.1
Transfer of proceedings and file transmission	Para. 8.1
Inspection of documents on CE-File by non-parties	Para. 9.1

#### General

**1.1** This practice direction sets out the procedure for the use of CE-File.

**1.2** For the purpose of this practice direction—

- (a) “CE-File” means the electronic filing and case management system used in the courts set out in paragraph 1.3 below, containing those documents which the court is required to hold pursuant to the CPR, whether they are documents created by the court or filed by the parties;
- (b) “CE-File website” means the web address at which CE-File can be accessed by parties at <https://efile.cefile-app.com/login> ;
- (c) “CPR” means the Civil Procedure Rules;
- (d) “Public access CE-File” means the HMCTS Public search and Office Copies portal accessible by the public found at <https://efile.cefile-app.com/publicsearch/login>;
- (e) “HMCTS” means His Majesty’s Courts and Tribunals Service;

- (f) “Submit” means the completed uploading to a new or existing case file on CE-File of a document that is to be filed or otherwise provided to the court, and “submission” has the equivalent meaning;
- (g) “Submission confirmation” means the automated notification acknowledging that the document has been submitted and providing the date and time of submission;
- (h) “Reject” means a refusal by court officers to process onto CE-File a document that has been submitted on CE-File, and “rejection” has the equivalent meaning. A document which has been rejected will not be saved to or appear on CE-File;
- (i) “Accept” means the administrative processing by court officers of a document that has been submitted, and “acceptance” has the equivalent meaning. A document which has been accepted will be saved to and appear on CE-File;
- (j) “IR 2016” means the Insolvency (England and Wales) Rules 2016;
- (k) “HWF number” means Help with Fees reference number which is provided on a letter from HMCTS confirming the Help with Fees application has been approved;
- (l) “Relevant courts” means those courts listed at paragraph 1.3 below;

**1.3** CE-File is used in the following courts—

- (a) the Chancery Division of the High Court, the Commercial Court, the Technology and Construction Court, the Circuit Commercial Court, and the Admiralty Court, at the Royal Courts of Justice, Rolls Building, London (together, “the Rolls Building Jurisdictions”);
- (b) the Central Office of the King’s Bench Division at the Royal Courts of Justice;
- (c) the B&PCs District Registries as defined in paragraph 1.2 of Practice Direction 57AA (“B&PC DRs”);
- (d) the Senior Courts Costs Office;
- (e) the District Registries of the King’s Bench Division situated in Birmingham, Bristol, Leeds, Liverpool, Manchester, Newcastle and Cardiff (“KB DRs”);
- (f) the Court of Appeal (Civil Division); and
- (g) the Administrative Court.

**1.4** CE-File is a permitted means of electronic delivery of documents to the court for the purposes of rule 1.46 IR 2016.

**1.5** For the purposes of this practice direction a fee will have been paid when—

- (a) the fee is paid by any method permitted by HMCTS;

- (b) a party provides its payment by account (PBA) number when prompted by CE-File or a direction of the court to do so;
- (c) a HWF number is provided for the full remission of the fee; or
- (d) where partial fee remission has been granted, the HWF number is provided and the part fee paid in accordance with sub-paragraph (a) or (b) above.

## **1.6**

- (1) Use of CE-File is subject to the CPR and other practice directions supplementing the Rules, subject to any exclusion or revision within this practice direction.
- (2) This practice direction does not apply to proceedings under the following provisions of the CPR—
  - (a) Part 74 (Enforcement of Judgments in Different Jurisdictions);
  - (b) Part 76 (Proceedings under the Prevention of Terrorism Act 2005);
  - (c) Part 79 (Proceedings under the Counter-Terrorism Act 2008, Part 1 of the Terrorist Asset-Freezing etc. Act 2010 and Part 1 of the Sanctions and Anti-Money Laundering Act 2018);
  - (d) Part 80 (Proceedings under the Terrorism Prevention and Investigation Measures Act 2011);
  - (e) Part 82 (Closed material procedure);
  - (f) Part 88 (Proceedings under the Counter-Terrorism and Security Act 2015);
  - (g) enforcement proceedings transferred from the County Court to a relevant court.
- (3) Parties should also (as appropriate) consider any specific court guides for further information on the use of CE-File.
- (4) Where the provisions of this practice direction conflict with the provisions of Practice Direction 5B or Practice Direction 52C, this practice direction takes precedence.

## **Use of CE-File**

### **2.1** Except in the Administrative Court, in the relevant courts—

- (a) for a party who is legally represented, CE-File must be used by that party to start or continue any proceedings and when corresponding with the court unless otherwise provided for below; and
- (b) for a party who is not legally represented, CE-File may be used by that party to start or continue any proceedings and when corresponding with the court.

- 2.2** (1) In the Administrative Court, for a party who is legally represented, as well as for a party who is not legally represented, CE-File may be used by that party to start or continue any proceedings.
- (2) Urgent applications made in the Administrative Court pursuant to Practice Direction 54B must be filed in accordance with paragraphs 1.4 or 1.5 of Practice Direction 54B.
- 2.3** Where a notice of appointment is being filed by a qualifying floating charge holder under Chapter 3 of Part 3 of the IR 2016 and the court is closed, the filing must be in accordance with rule 3.20 of the IR 2016.
- 2.4** To submit a document using CE-File, a party must—
- (a) access the CE-File website;
  - (b) register for an account or log on to an existing account;
  - (c) submit the appropriate document; and
  - (d) pay any appropriate fee.
- 2.5** In the event of downtime of the CE-File website or any other technical difficulty with the CE-File website so that a document cannot be submitted, the court will give directions on how to submit documents. Those directions will be set out on the CE-File website.

## **Filing of documents**

- 3.1** (1) Any document which is submitted using CE-File must—
- (a) consist of one copy only unless required by a court order, rule or practice direction;
  - (b) be in PDF format (or in Excel format if appropriate) unless the court directs otherwise or unless the document is a draft order, in which case it must be in “Word” format;
  - (c) not exceed 100 (one hundred) megabytes or such other limit that may be specified by HMCTS; and
  - (d) be categorised or labelled as to the type of document that it is (e.g. “Claim Form”, “Witness Statement”, “Exhibit”).
- (2) In the event that a document exceeds the maximum limit specified in paragraph 3.1(1)(c), the party seeking to file the document must divide the document into parts and file each part separately or contact the relevant court for further instructions.
- 3.2** Any document which is submitted using CE-File must not also be provided to the court by some other means unless this is required by a rule or practice direction, court order, Practice Note or other direction of the court.

**3.3** Documents which are confidential must be submitted as a confidential document, using the process in CE-File for that purpose, in order to ensure that it is not visible to other parties.

**3.4** (1) Submission of any document using CE-File will generate an automated submission confirmation.

(2) Court officers will either accept or reject the submission. Court officers may contact parties prior to acceptance to correct minor errors on the submission.

(3) Court officers may reject a submission where—

- (a) the correct fee has not been paid;
- (b) the document is corrupted so that it cannot be opened or read;
- (c) the document is not in pdf, word or excel format, unless otherwise directed under paragraph 3.1(1)(b);
- (d) the document has been submitted on the wrong case file;
- (e) pages of a court form are missing;
- (f) in a Part 7 or Part 8 claim form or Part 23 pre-issue application—
  - i. one or more of the parties is not named or identified unless a rule, practice direction or court order allows a party not to be named or identified;
  - ii. no address is identified for a party, and no application for alternative service is filed;
- (g) a civil restraint order (“CRO”) has been made against the submitting party and the submitting party has not provided an order for permission to issue where the CRO provides such permission is required;
- (h) none of the boxes indicating acceptance or disputing the claim or jurisdiction in an acknowledgment of service are selected;
- (i) in an appeal—
  - i. one or more of the parties is not identified or named unless a rule, practice direction or court order allows a party not to be identified or named;
  - ii. no address is identified for a party, and no application for alternative service is filed;
  - iii. the case is being submitted to the incorrect court;
  - iv. the court is unable to identify which decision the appeal relates to;
- (j) in the Administrative Court, the requirements of Practice Direction 54A paragraph 4.4(1) (a)-(h) are not met.

(4) If a submission is rejected—



- (a) notice of the reasons for rejection will be given to the party on CE-File and if the document was a claim form, appeal notice, or other document requiring to be issued, it will not have been issued; and
- (b) any new submission following rejection must comply with the requirements of this practice direction including in respect of fees and the date and time of filing with be the date and time of filing of the new submission.

- 3.5** (1) Except in cases falling within sub-paragraphs (2), (3) and (4) below, when a document is submitted on CE-File which requires a fee, the date and time of filing is the date and time when the fee is paid and the electronic seal will bear the date of filing and this will be the issue date.
- (2) When a document is submitted on CE-File in the Administrative Court which requires a fee, the date and time of filing is the date and time the fee is paid which will be marked on the document and the electronic seal will bear the date on which the electronic seal is applied and this will be the issue date.
  - (3) When a document is submitted on CE-File in the Court of Appeal which requires a fee, the date of filing is the date the documents required by Practice Direction 52C paragraphs 3(1), 3(4)(a) and 3(4)(b) are submitted and either the fee is paid, or, if earlier, the date on which a fee remission application is made, provided fee remission is subsequently granted. The date of filing will be marked on the document and the electronic seal will bear the date on which the electronic seal is applied and this will be the issue date.
  - (4) In proceedings where payment under the IR 2016 is required to be made in addition to the fee and in a manner that precludes online payment (such as the official receiver's deposit for a winding-up petition), payment must be made in accordance with the [Insolvency Practice Direction](#) following delivery of the document to court for filing, and the document will not be treated as filed with the court and presented until the relevant fee and deposit have been paid.
  - (5) For all other submissions, the date and time of filing will be the date and time of submission as stated on the submission confirmation, unless expressly provided otherwise by the court.

## **Urgent applications**

4. Urgent applications must be filed in accordance with this practice direction but the relevant court must also be notified by email or telephone of the application and the reason for urgency.

(Further information about the procedure for urgent applications, including out of hours applications, may be found in the relevant court guide, on the HMCTS website, or by contacting the court directly.)

## **CE-File and alternate filing methods**

- 5.1 Except for proceedings started in the B&PC DRs before 25 February 2019 and the KB DRs before 19 July 2021 and unless the court orders otherwise, proceedings which have been started in a relevant court without using CE-File will be continued using CE-File in the relevant court.

- 5.2 (1) Sub-paragraph (2) applies to documents other than those provided to the court under paragraph 6.1 and hearing and trial bundles, which are required or permitted to be provided to the court in hard copy.

- (2) Hard copy documents will be converted to PDF format and uploaded to CE-File. The hard copies will not be retained by the relevant court and will be destroyed unless the filing party makes arrangements for the return or collection of the documents.

(Attention is drawn to paragraph 6.2 below and the requirement to keep original documents).

- (3) Documents which are not required to be submitted using CE-File and are sent by email will be uploaded to CE-File by court officers except for hearing and trial bundles.

- (4) If any fee is required, the document will not be sealed until the fee is paid.

- (5) Claims, applications or appeals proceeding in the relevant courts except for the Court of Appeal which are received by a relevant court other than by submission on CE-File will be sealed electronically once uploaded to CE-File. The electronic seal will bear the date of the day the electronic seal was applied but the court will mark also the date on which the document was received by the court.

- (6) Proceedings in the Court of Appeal which are received other than by submission on CE-File will be sealed electronically once uploaded to CE-File. The electronic seal will bear the date on which it was applied but the court will also mark the date on which the documents required by Practice Direction 52C paragraphs 3(1), 3(4)(a) and 3(4)(b) were received by the court, and this will be the date of filing.

- (7) The date of filing any other document will be the date the document is received by the court.

### **Original documents**

- 6.1** (1) Where an original document is required by order of the court or by provision of the CPR or IR 2016 to be filed or lodged in a relevant court, such original document (including original wills, grants of probate or evidence of testamentary documents) cannot be submitted using CE-File and must instead be physically filed or lodged with the court. The original documents must be clearly marked as such and will be retained by the relevant court in a separate secured storage area.
- (2) Testamentary documents lodged under CPR rule 57.5(2) must be lodged in the relevant office within 5 days of the issue of the claim form or filing of the acknowledgment of service.
- 6.2** Where parties submit documents other than those referred to in paragraph 6.1(1) and (2) above to the court by any method, the original signed documents, including the original exhibits to any witness statement, must be preserved and must be made available for inspection if required by another party to the proceedings and/or by the order of the court.

### **Service**

- 7.1** When a document has been issued in a relevant court, unless Practice Direction 3A paragraph 2.1 applies, the submitting party will receive a notification that the document is available on CE-File.
- 7.2** Unless the court orders otherwise, any document filed at a relevant court which is required to be served must be served by the parties and not the court.

### **Transfer of proceedings and file transmission**

- 8.1** If proceedings which have used CE-File are subsequently transferred to a court not operating CE-File, no documents will be able to be submitted in those proceedings through CE-File after the date of transfer and this practice direction will cease to apply to those proceedings.
- 8.2** Where a request for transmission of the court file of any insolvency proceedings is made pursuant to IR 2016 rule 12.39(12), the court must make arrangements for a version of the CE-File case file of the proceedings being transmitted to be made

available to the Secretary of State or the official receiver, as the case may be, in a format of their choosing.

**8.3** If proceedings are transferred into one of the relevant courts, this practice direction applies to all filings subsequent to the order transferring those proceedings.

**8.4** Where a case is transferred from one relevant court to another relevant court, parties must from the date of the transfer, submit any documents save for an application to set aside transfer, to the court into which the case has been transferred using the claim number allocated by that court.

### **Inspection of documents on CE-File by non-parties**

**9.1** Requests for copies of documents available to non-parties in accordance with CPR rule 5.4C in proceedings which have been started or continued on CE-File may be made using Public Access CE-File in proceedings in –

- (a) the Rolls Building Jurisdictions;
- (b) the Central Office of the King's Bench Division;
- (c) the B&PC DRs for proceedings commenced on or after 25 February 2019; and
- (d) the KB DRs for proceedings commenced after 19 July 2021.

**9.2** Requests for copies of documents available to non-parties in accordance with CPR rule 5.4C in other cases must be made to the relevant court.