



HM Courts &  
Tribunals Service



Ministry  
of Justice

Refund Scheme

## Application for full or partial refund of 'Low Value Personal Injury (LVPI) Part 8 Stage 3' fees – Guidance document

### What are LVPI Part 8 Stage 3 fees?

LVPI Part 8 Stage 3 claims relate to 'Low Value Personal Injury Claims in Road Traffic Accidents' and 'Low Value Personal Injury (Employers' Liability and Public Liability) Claims'. These claims originate in the 'MOJ Portal' found on the following link: <https://www.claimsportal.org.uk>

The vast majority of claims initiated in the Portal resolve during Stage 1 or 2 Pre-action stage, However, for those that don't, a claim is issued in the county court – known as Stage 3.

In Stage 3 claims, fault (liability) has been admitted and so they do not follow the 'traditional' money claim route which requires a defence, Directions Questionnaire, trial etc. Instead they are issued in the County Court under the Part 8 procedure.

### Why are we refunding LVPI Part 8 Stage 3 fees?

We've reviewed the way we charge fees. We've found that some LVPI Part 8 Stage 3 fees have been:

- **Mischarged:** this is where we've charged the wrong fee or we should not have charged you at all.

### Which fees are we refunding?

A list of the mischarged fees is set out on page four of this document. You can only claim a refund if you paid one or more of the fees listed below between 1 April 2014 and 1 April 2018. The table sets out the exact amount of refund that may be owed to you.

## **Can I claim a refund if I, or my client, applied under the Help with Fees scheme?**

Help with fees is sometimes known as 'fee remission'.

If you or your client used Help with Fees you can only claim on the amount you paid.

For example:

Fee amount £10

Help with Fees £6

You paid £4

You can claim up to £4 depending on the refund due

You cannot claim a refund if you received a full remission and did not have to pay any of the fee.

## **Will I receive interest on my refund?**

Interest on any refunds will be paid at a flat rate of 0.5%. We will work out the interest for you and add it to your refund amount.

## **How do I apply for a refund?**

You must apply for a refund using the form called 'Low Value Personal Injury Part 8 Stage 3 Refund Application Form'

All applications must be submitted using this form, or via the bulk upload template.

If you cannot access the application form please contact the helpdesk on 0300 1233077. You can request a copy of the application form and guidance document to be sent through the post.

You may not be required to fill in all of the form. Please read each section carefully and ensure you answer all of the questions that apply to you. If some of the required fields are left blank it could cause a delay and you might have to send in a new form.

If you are making an application on behalf of someone's estate, please include your details in section 1.1 and 1.2 as well as the details of the deceased in section 2.4

If you are completing the form by hand, please use BLOCK CAPITAL LETTERS.

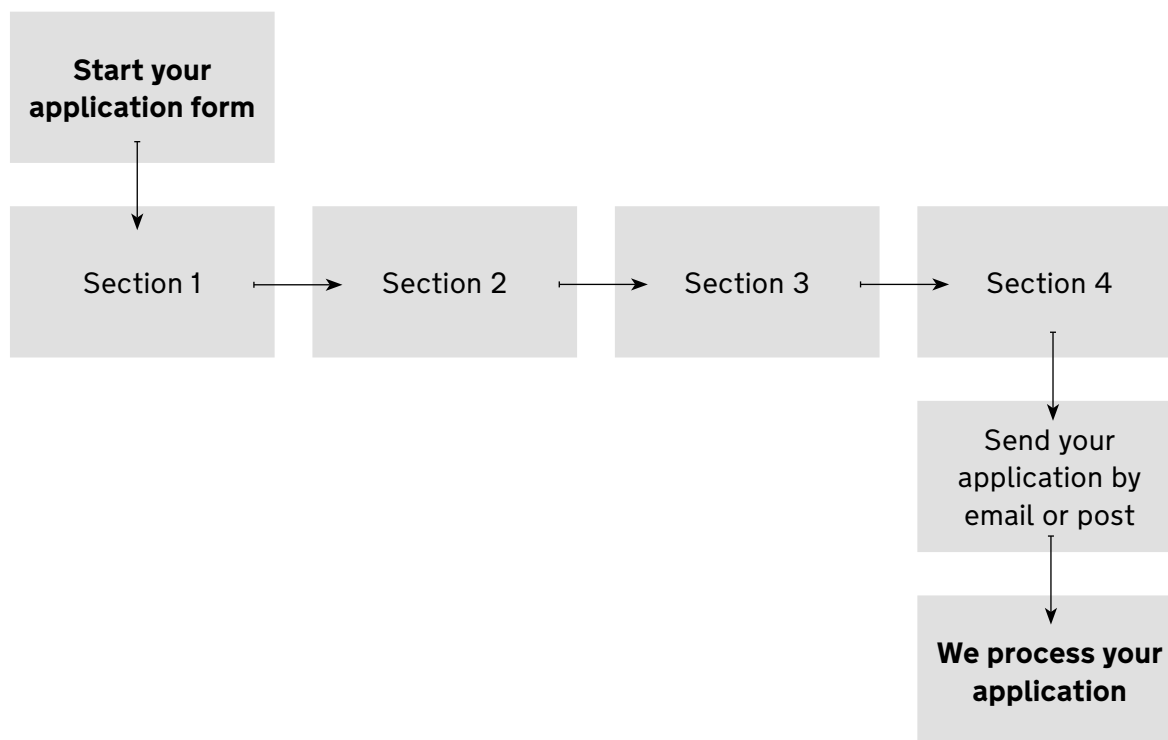
## Can I apply for a refund on a number of cases at the same time?

Yes, you can use the bulk upload template to apply for a refund on up to 25 cases. Please ensure you complete all the required fields on the bulk upload template.

**NOTE:** the total size of an e-mail, including any attachments, must not exceed 10 megabytes.

**Applications can be sent by post or email. Please see page 12 on the application form for details of how to send your application.**

This infographic shows the stages which must be followed to submit your application:



## How long will it take to process my application?

We will try to process your application in 20 working days from the day we receive your form.

To ensure we can process your application as quickly and efficiently as possible please include:

- Please provide evidence - if you have it - as to the value of the claim at the time of issue. For example: this could be the claim form or covering letter. Please also include a copy of your notice of issue.

We'll contact you if there's something wrong with your application or if we need further information from you.

## **When you receive payment**

Your payment will be issued via BACS, as a cheque or to your chosen Fee Account/PBA account, as per the information you have provided on your application form.

The payment notification will be sent as a 'do not reply' email from our provider Liberata. The subject of the email will show as: 'auto.reporting@liberata.com'. Please save this email address as a 'safe sender' to make sure the email arrives in your inbox. If you have not received an email we suggest that you check your junk folder.

The email will contain a PDF document with a HM Courts and Tribunals Service (HMCTS) header attached to the email.

## You can apply for refunds for the following fees:

### Mischarged fees

This table shows the list of mischarged LVPI Part 8 Stage 3 fees and the maximum refund amount you can claim (not including interest). The exact amount you will receive will depend on if you received any help with your fees - a fee remission.

Misquoted Fee code	Correct Fee Code	Circumstance	Maximum refund amount between 1 April 2014 and 24 July 2016	Maximum refund amount between 25 July 2016 and 1 April 2018
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### Civil Proceedings Fees

		Between <b>1 April 2014 and 24 July 2016</b> you paid a fee of £280, <b>or</b> Between <b>25 July 2016 and 1 April 2018</b> you paid a fee of £308 to issue a Part 8 Claim under stage 3 of:			
		- the Pre-Action Protocol for Low Value Personal Injury (Employers' Liability and Public Liability); <b>or</b>			
		- the Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents			
		<b>If the value of your claim was:</b>	<b>You should have paid a fee of:</b>		
FEE0450	FEE0202	less than £300	£35	£245	£273
FEE0450	FEE0203	Between £300 and £500	£50	£230	£258
FEE0450	FEE0204	Between £500 and £1,000	£70	£210	£238
FEE0450	FEE0205	Between £1,000 and £1,500	£80	£200	£228
FEE0450	FEE0206	Between £1,500 and £3,000	£115	£165	£193
FEE0450	FEE0207	Between £3,000 and £5,000	£205	£75	£103