

110th UPDATE – PRACTICE DIRECTION AMENDMENTS

The amendments to the existing practice directions 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 are approved by Paul Maynard MP, Parliamentary Under-Secretary of State for Justice, by the authority of the Lord Chancellor.

The amendments to the following existing practice directions come into force on the 7 October 2019.

Practice Direction 47 – Procedure for Detailed Assessment of Costs and Default Provisions

Practice Direction 51O – Electronic Working Pilot Scheme
--

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

Signed by authority of the Lord Chancellor

Edward Argar MP
Parliamentary Under-Secretary of State for Justice
Ministry of Justice

Date: 2/09/2019

PRACTICE DIRECTION 47 - PROCEDURE FOR DETAILED ASSESSMENT OF COSTS AND DEFAULT PROVISIONS

1) In paragraph 5.1A, for “Whenever” substitute “Subject to paragraph 5.1B, whenever”.

2) After paragraph 5.1A, insert—

“5.1B Whenever an electronic bill is filed at the Costs Office using Electronic Working (see Practice Direction 51O)—

(a) a copy of the full electronic spreadsheet version and a pdf version must be uploaded; and

(b) the electronic bill must not be filed at court by any other means.”.

PRACTICE DIRECTION 51O – ELECTRONIC WORKING PILOT SCHEME

1) In paragraph 1.1(1)—

a) in paragraph (b)—

i) in sub-paragraph (ii), at the end, omit “and”;

ii) in sub-paragraph (iii), at the end, for “.” substitute “; and”; and

iii) after sub-paragraph (iii) insert—

“(iv) the Senior Courts Costs Office (“the Costs Office”); and”;

b) in paragraph (c)—

i) in sub-paragraph (ii), at the end, omit “and”;

ii) in sub-paragraph (iii), at the end, for “.” substitute “; and”; and

iii) after sub-paragraph (iii) insert—

“(iv) in the Costs Office, to detailed assessment proceedings in which the request for a hearing is filed on or after 7 October 2019, to applications filed on or after 7 October 2019 and to proceedings started in the Costs Office on or after 7 October 2019.”.

2) In paragraph 1.2—

a) in sub-paragraph (2), immediately above the entry: “Part 49 (Companies Court)”, insert—

“Part 47 (Detailed Assessment of Costs)”; and

b) in sub-paragraph (4), after “Intellectual Property Court Guide”, insert “, the Senior Courts Costs Office Guide”.

- 3) In paragraph 2.2, after “Queen’s Bench Division”, insert “and detailed assessment proceedings and Part 8 claims in the Costs Office”.
- 4) After paragraph 2.2C, insert—

“2.2D In the Costs Office from 7 October 2019, for a party who is legally represented, as well as for a party who is not legally represented, Electronic Working may be used by that party to start and/or continue any relevant claims, detailed assessment proceedings or applications.

2.2E In the Costs Office from 20 January 2020, for a party who is legally represented, Electronic Working must be used by that party to start and/or continue any relevant claims, detailed assessment proceedings or applications.”.
- 5) In paragraph 2.4, for “and the Central Office of the Queen’s Bench Division”, substitute “the Central Office of the Queen’s Bench Division and the Costs Office”.
- 6) In paragraph 5.1(b), after “PDF format”, insert, “(or in Excel format if appropriate)”.
- 7) In paragraph 5.5, for “or Central Office of the Queen’s Bench Division”, substitute “the Central Office of the Queen’s Bench Division or the Costs Office,”.
- 8) In paragraph 8.2 for “and Central Office of the “Queen’s Bench Division”, substitute “the Central Office of the Queen’s Bench Division and the Costs Office”.
- 9) In paragraph 9.3, “or the Central Office of the Queen’s Bench Division”, substitute “the Central Office of the Queen’s Bench Division or the Costs Office,”.