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STATUTORY INSTRUMENTS

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**1998 No. 3132**

The Civil Procedure Rules 1998

PART 46 **E+W**

FAST TRACK TRIAL COSTS

**Amount of fast track trial costs** **E+W**

**46.2.**—(1) The following table shows the amount of fast track trial costs which the court may award (whether by summary or detailed assessment).

<i>Value of the claim</i>	<i>Amount of fast track trial costs which the court may award</i>
[ <sup>F1</sup> No more than £3,000]	[ <sup>F2</sup> £485]
More than £3,000 but not more than £10,000	[ <sup>F3</sup> £690]
More than £10,000 [ <sup>F4</sup> but not more than £15,000]	[ <sup>F5</sup> £1,035]
[ <sup>F6</sup> For proceedings issued on or after 6th April 2009, more than £15,000	£1,650]

(2) The court may not award more or less than the amount shown in the table except where—

- (a) it decides not to award any fast track trial costs; or
- (b) rule 46.3 applies,

but the court may apportion the amount awarded between the parties to reflect their respective degrees of success on the issues at trial.

(3) Where the only claim is for the payment of money—

- (a) for the purpose of quantifying fast track trial costs awarded to a claimant, the value of the claim is the total amount of the judgment excluding—
  - (i) interest and costs; and
  - (ii) any reduction made for contributory negligence;
- (b) for the purpose [<sup>F7</sup>of quantifying] fast track trial costs awarded to a defendant, the value of the claim is—
  - (i) the amount specified in the claim form (excluding interest and costs);
  - (ii) if no amount is specified, the maximum amount which the claimant reasonably expected to recover according to the statement of value included in the claim form under rule 16.3; or
  - (iii) more than [<sup>F8</sup>£15,000], if the claim form states that the claimant cannot reasonably say how much [<sup>F9</sup>is likely to be recovered].

*Status: Point in time view as at 06/04/2010. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the  
The Civil Procedure Rules 1998, Section 46.2. (See end of Document for details)*

(4) Where the claim is only for a remedy other than the payment of money the value of the claim is deemed to be more than £3,000 but not more than £10,000, unless the court orders otherwise.

(5) Where the claim includes both a claim for the payment of money and for a remedy other than the payment of money, the value of the claim is deemed to be the higher of—

(a) the value of the money claim decided in accordance with paragraph (3); or

(b) the deemed value of the other remedy decided in accordance with paragraph (4),

unless the court orders otherwise.

(6) Where—

(a) a defendant has made a counterclaim against the claimant;

(b) the counterclaim has a higher value than the claim; and

(c) the claimant succeeds at trial both on [<sup>F10</sup>the] claim and the counterclaim,

for the purpose of quantifying fast track trial costs awarded to the claimant, the value of the claim is the value of the defendant’s counterclaim calculated in accordance with this rule.

F11 .....

**Textual Amendments**

- F1 Words in rule 46.2(1) Table substituted (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **14(b)(i)** (with rule 22)
- F2 Sum in rule 46.2(1) Table substituted (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **14(b)(ii)** (with rule 22)
- F3 Sum in rule 46.2(1) Table substituted (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **14(b)(iii)** (with rule 22)
- F4 Words in rule 46.2(1) Table inserted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **10(a)(i)**
- F5 Sum in rule 46.2(1) Table substituted (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rules 1, **14(b)(iv)** (with rule 22)
- F6 Rule 46.2(1) Table entry inserted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **10(a)(ii)**
- F7 Words in rule 46.2(3)(b) substituted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **10(b)(i)**
- F8 Sum in rule 46.2(b)(iii) substituted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **10(b)(ii)(aa)**
- F9 Words in rule 46.2(b)(iii) substituted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **10(b)(ii)(bb)**
- F10 Word in rule 46.2(6)(c) substituted (6.4.2009) by [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **10(c)**
- F11 Words in rule 46.2 omitted (6.4.2009) by virtue of [The Civil Procedure \(Amendment No.3\) Rules 2008 \(S.I. 2008/3327\)](#), rules 1, **10(d)**

**Commencement Information**

- I1 [Rule 46.2](#) in force at 26.4.1999, see [Signature](#)

**Status:**

Point in time view as at 06/04/2010. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 46.2.