
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 48

COSTS—SPECIAL CASES

SECTION 1—COSTS PAYABLE BY OR TO PARTICULAR PERSONS

Limitations on court's power to award costs in favour of trustee or personal representative

48.4.—(1) This rule applies where—

- (a) a person is or has been a party to any proceedings in the capacity of trustee or personal representative; and
- (b) rule 48.3 does not apply.

[^{F1}(2) The general rule is that he is entitled to be paid the costs of those proceedings, insofar as they are not recovered from or paid by any other person, out of the relevant trust fund or estate.

(3) Where he is entitled to be paid any of those costs out of the fund or estate, those costs will be assessed on the indemnity basis.]

Textual Amendments

- F1** Rule 48.4(2)(3) substituted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), rules 1(c), 27
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Commencement Information

- I1** Rule 48.4 in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 25/03/2002. This version of this provision has been superseded.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 48.4.