
STATUTORY INSTRUMENTS

2013 No. 1412

The Civil Procedure (Amendment No. 4) Rules 2013

Amendments to the Civil Procedure Rules 1998

4. In Part 54—

(a) in rule 54.5—

(i) before paragraph (1), insert—

“(A1) In this rule—

“the planning acts” has the same meaning as in section 336 of the Town and Country Planning Act 1990(1);

“decision governed by the Public Contracts Regulations 2006(2)” means any decision the legality of which is or may be affected by a duty owed to an economic operator by virtue of regulation 47A of those Regulations (and for this purpose it does not matter that the claimant is not an economic operator); and

“economic operator” has the same meaning as in regulation 4 of the Public Contracts Regulations 2006.”;

(ii) in paragraph (2), for “limit” substitute “limits”; and

(iii) after paragraph (3), insert—

“(4) Paragraph (1) does not apply in the cases specified in paragraphs (5) and (6).

(5) Where the application for judicial review relates to a decision made by the Secretary of State or local planning authority under the planning acts, the claim form must be filed not later than six weeks after the grounds to make the claim first arose.

(6) Where the application for judicial review relates to a decision governed by the Public Contracts Regulations 2006, the claim form must be filed within the time within which an economic operator would have been required by regulation 47D(2) of those Regulations (and disregarding the rest of that regulation) to start any proceedings under those Regulations in respect of that decision.”; and

(b) in rule 54.12—

(i) in paragraph (3), for “The” substitute “Subject to paragraph (7), the”; and

(ii) after paragraph (6), insert—

“(7) Where the court refuses permission to proceed and records the fact that the application is totally without merit in accordance with rule 23.12, the claimant may not request that decision to be reconsidered at a hearing.”.

(1) 1990 c. 8.

(2) S.I. 2006/5, as amended in particular by S.I. 2009/2992 and S.I. 2011/2053.