
Changes to legislation: Constitutional Reform Act 2005, Paragraph 6 is up to date with all changes known to be in force on or before 30 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 2

POWERS TO GIVE DIRECTIONS

PART 2

POWERS OF DIRECTION SUBJECT TO THE PROCESS IN PART 1

Civil Procedure Act 1997 (c. 12)

6 For section 5 of the Civil Procedure Act 1997 substitute—

“5 Practice directions

- (1) Practice directions may be given in accordance with Part 1 of Schedule 2 to the Constitutional Reform Act 2005.
- (2) Practice directions given otherwise than under subsection (1) may not be given without the approval of—
 - (a) the Lord Chancellor, and
 - (b) the Lord Chief Justice.
- (3) Practice directions (whether given under subsection (1) or otherwise) may provide for any matter which, by virtue of paragraph 3 of Schedule 1, may be provided for by Civil Procedure Rules.
- (4) The power to give practice directions under subsection (1) includes power—
 - (a) to vary or revoke directions given by any person;
 - (b) to give directions containing different provision for different cases (including different areas);
 - (c) to give directions containing provision for a specific court, for specific proceedings or for a specific jurisdiction.
- (5) Subsection (2)(a) does not apply to directions to the extent that they consist of guidance about any of the following—
 - (a) the application or interpretation of the law;
 - (b) the making of judicial decisions.
- (6) Subsection (2)(a) does not apply to directions to the extent that they consist of criteria for determining which judges may be allocated to hear particular categories of case; but the directions may, to that extent, be given only—
 - (a) after consulting the Lord Chancellor, and
 - (b) with the approval of the Lord Chief Justice.”

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 132(4A) words substituted by [2015 c. 2 s. 83\(1\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(2\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(3\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(4\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(6\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(8\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(9\)](#)
- Sch. 7 para. 4Pt. A words inserted by [2007 c. 15 s. 144\(10\)\(a\)](#)
- Sch. 7 para. 4Pt. A words substituted by [2007 c. 15 s. 144\(10\)\(b\)](#)