



# Judicial Review and Courts Act 2022

## 2022 CHAPTER 35

### PART 2

#### COURTS, TRIBUNALS AND CORONERS

### CHAPTER 2

#### ONLINE PROCEDURE

#### **21 Provision supplementing section 19**

- (1) The Lord Chancellor may, by regulations, provide for circumstances in which—
  - (a) a person initiating proceedings of a specified kind may choose whether the proceedings are to be governed by Online Procedure Rules or the applicable standard rules;
  - (b) the person initiating any aspect of proceedings that are governed by Online Procedure Rules may choose for that aspect to be initiated, conducted, progressed or disposed of in accordance with the applicable standard rules instead of Online Procedure Rules.
- (2) Directions under [Schedule 3](#) do not apply to proceedings to the extent that the applicable standard rules apply to those proceedings by virtue of regulations under subsection (1)(b).
- (3) The Lord Chancellor may, by regulations, provide—
  - (a) for circumstances in which proceedings of a specified kind—
    - (i) are not to be governed by Online Procedure Rules, or
    - (ii) are to cease to be governed by Online Procedure Rules, and
  - (b) for the proceedings to be governed by the applicable standard rules instead.
- (4) The Lord Chancellor may, by regulations, provide—
  - (a) for circumstances in which excluded proceedings—
    - (i) are to be governed by Online Procedure Rules, or

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*Changes to legislation: There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Section 21. (See end of Document for details)*

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- (ii) are to be governed again by Online Procedure Rules, and
  - (b) for the proceedings to cease to be governed by the applicable standard rules.
- (5) For the purposes of subsection (4)(a), proceedings are “excluded” if the proceedings are not governed, or cease to be governed, by Online Procedure Rules because of—
  - (a) Online Procedure Rules of the kind referred to in section 19(9)(a), or
  - (b) regulations under subsection (1)(a) or (3)(a).
- (6) Regulations under this section are subject to the concurrence requirement (see section 32(1)).
- (7) Regulations under this section are subject to affirmative resolution procedure (see section 49(3)).

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**Commencement Information**

- I1** S. 21 not in force at Royal Assent, see [s. 51\(4\)](#)
- I2** [S. 21](#) in force at 28.6.2023 by [S.I. 2023/631](#), [reg. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Judicial Review and Courts Act 2022, Section 21.