
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 47

**PROCEDURE FOR DETAILED ASSESSMENT
OF COSTS AND DEFAULT PROVISIONS**

[^{F1}SECTION III

Costs payable by one Party to another – Default Provisions

Textual Amendments

- F1** Pts. 44-48 substituted (1.4.2013) by [The Civil Procedure \(Amendment\) Rules 2013 \(S.I. 2013/262\)](#), rules 2, 16, [Sch.](#) (with rule 22)

Default costs certificate

47.11.—(1) Where the receiving party is permitted by rule 47.9 to obtain a default costs certificate, that party does so by filing a request in the relevant practice form.

(Practice Direction 47 deals with the procedure by which the receiving party may obtain a default costs certificate.)

(2) A default costs certificate will include an order to pay the costs to which it relates.

(3) Where a receiving party obtains a default costs certificate, the costs payable to that party for the commencement of detailed assessment proceedings will be the sum set out in Practice Direction 47.

(4) A receiving party who obtains a default costs certificate in detailed assessment proceedings pursuant to an order under section 194(3) of the 2007 Act must send a copy of the default costs certificate to the prescribed charity.

Setting aside a default costs certificate

47.12.—(1) The court will set aside a default costs certificate if the receiving party was not entitled to it.

(2) In any other case, the court may set aside or vary a default costs certificate if it appears to the court that there is some good reason why the detailed assessment proceedings should continue.

(Practice Direction 47 contains further details about the procedure for setting aside a default costs certificate and the matters which the court must take into account)

(3) Where the court sets aside or varies a default costs certificate in detailed assessment proceedings pursuant to an order under section 194(3) of the Legal Services Act 2007, the receiving

Status: Point in time view as at 01/12/2017.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: SECTION III. (See end of Document for details)

party must send a copy of the order setting aside or varying the default costs certificate to the prescribed charity.]

Status:

Point in time view as at 01/12/2017.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Cross Heading: SECTION III.