
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 27

THE SMALL CLAIMS TRACK

Costs on the small claims track

27.14.—(1) This rule applies to any case which has been allocated to the small claims track unless paragraph (5) applies.

(Rules 44.9 and 44.11 make provision in relation to orders for costs made before a claim has been allocated to the small claims track)

[^{F1}(2) The court may not order a party to pay a sum to another party in respect of that other party's costs, fees and expenses, including those relating to an appeal, except—

- (a) the fixed costs attributable to issuing the claim which—
 - (i) are payable under Part 45; or
 - (ii) would be payable under Part 45 if that Part applied to the claim;
- (b) in proceedings which included a claim for an injunction or an order for specific performance a sum not exceeding the amount specified in [^{F2}Practice Direction 27] for legal advice and assistance relating to that claim;
- (c) any court fees paid by that other party;
- (d) expenses which a party or witness has reasonably incurred in travelling to and from a hearing or in staying away from home for the purposes of attending a hearing;
- (e) a sum not exceeding the amount specified in [^{F3}Practice Direction 27] for any loss of earnings or loss of leave by a party or witness due to attending a hearing or to staying away from home for the purposes of attending a hearing;
- (f) a sum not exceeding the amount specified in [^{F4}Practice Direction 27] for an expert's fees; and
- (g) such further costs as the court may assess by the summary procedure and order to be paid by a party who has behaved unreasonably.]

[^{F5}[^{F6}(3)] A party's rejection of an offer in settlement will not of itself constitute unreasonable behaviour under paragraph [^{F7}(2)(g)] but the court may take it into consideration when it is applying the unreasonableness test.

^{F8} ...]

^{F9}(3)

Status: Point in time view as at 06/04/2010. This version of this provision has been superseded.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 27.14. (See end of Document for details)

(4) The limits on costs imposed by this rule also apply to any fee or reward for acting on behalf of a party to the proceedings charged by a person exercising a right of audience by virtue of an order under section 11 of the Courts and Legal Services Act 1990(1) (a lay representative).

[^{F10}(5) Where—

- (a) the financial value of a claim exceeds the limit for the small claims track; but
- (b) the claim has been allocated to the small claims track in accordance with rule 26.7(3),

the small claims track costs provisions will apply unless the parties agree that the fast track costs provisions are to apply.

(6) Where the parties agree that the fast track costs provisions are to apply, the claim [^{F11}and any appeal] will be treated for the purposes of costs as if it were proceeding on the fast track except that trial costs will be in the discretion of the court and will not exceed the amount set out for the value of claim in rule 46.2 (amount of fast track trial costs).]

(Rule 26.7(3) allows the parties to consent to a claim being allocated to a track where the financial value of the claim exceeds the limit for that track)

Textual Amendments

- F1** Rule 27.14(2) substituted (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006](#) (S.I. 2006/1689), [rules 1, 5\(a\)](#)
- F2** Words in [rule 27.14\(2\)\(b\)](#) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009](#) (S.I. 2009/3390), [rules 1\(2\), 14](#)
- F3** Words in [rule 27.14\(2\)\(e\)](#) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009](#) (S.I. 2009/3390), [rules 1\(2\), 14](#)
- F4** Words in [rule 27.14\(2\)\(f\)](#) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009](#) (S.I. 2009/3390), [rules 1\(2\), 14](#)
- F5** Rule 27.14(2A) inserted (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005](#) (S.I. 2005/2292), [rules 1\(c\), 31\(a\)](#)
- F6** Rule 27.14(2A) renumbered as rule 27.14(3) (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006](#) (S.I. 2006/1689), [rules 1, 5\(c\)](#)
- F7** Word in [rule 27.14\(3\)](#) substituted (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006](#) (S.I. 2006/1689), [rules 1, 5\(d\)](#)
- F8** Words in [rule 27.14](#) omitted (6.4.2007) by virtue of [The Civil Procedure \(Amendment No.3\) Rules 2006](#) (S.I. 2006/3435), [rules 1, 6\(b\)](#)
- F9** Rule 27.14(3) omitted (2.10.2006) by virtue of [The Civil Procedure \(Amendment\) Rules 2006](#) (S.I. 2006/1689), [rules 1, 5\(b\)](#)
- F10** [Rule 27.14\(5\)\(6\)](#) substituted for [rule 27.14\(5\)](#) (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005](#) (S.I. 2005/2292), [rules 1\(c\), 31\(c\)](#)
- F11** Words in [rule 27.14\(6\)](#) inserted (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006](#) (S.I. 2006/1689), [rules 1, 5\(e\)](#)

Commencement Information

- I1** Rule 27.14 in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 06/04/2010. 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 27.14.