

---

STATUTORY INSTRUMENTS

---

**1998 No. 3132**

The Civil Procedure Rules 1998

PART 27 **E+W**

THE SMALL CLAIMS TRACK

**Costs on the small claims track** **E+W**

**27.14.**—(1) This rule applies to any case which has been allocated to the small claims track <sup>F1</sup>....  
(<sup>F2</sup>Rule 46.13 makes] provision in relation to orders for costs made before a claim has been allocated to the small claims track)

<sup>F3</sup>(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) [<sup>F4</sup>the fixed costs attributable to issuing the claim, calculated in accordance with Table 2 in Practice Direction 45; <sup>F5</sup>...]
- (b) in proceedings which included a claim for an injunction or an order for specific performance a sum not exceeding the amount specified in [<sup>F6</sup>Practice Direction 27A] 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 [<sup>F7</sup>Practice Direction 27A] 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 [<sup>F8</sup>Practice Direction 27A] for an expert's fees; <sup>F9</sup>...
- (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 [<sup>F10</sup>; <sup>F11</sup>...]
- <sup>F12</sup>(h) [<sup>F13</sup>the applicable Stage 1 and, where relevant, the Stage 2 fixed costs in Table 10 and Table 11 in Practice Direction 45] where—
  - (i) the claim was within the scope of the Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents (“the RTA Protocol”) [<sup>F14</sup>or the Pre-action Protocol for Low Value Personal Injury (Employers’ Liability and Public Liability) Claims (‘the EL/PL Protocol’)];
  - (ii) the claimant reasonably believed that the claim was valued at more than the small claims track limit in accordance with paragraph 4.1(4) of the [<sup>F15</sup>relevant Protocol]; and

*Status: Point in time view as at 01/10/2023.*

*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)*

(iii) the defendant admitted liability under the process set out in the [F16 relevant Protocol];  
but

(iv) the defendant did not pay those Stage 1 and, where relevant, Stage 2 fixed costs [F17;  
and]]

[F18(i) in an appeal, the cost of any approved transcript reasonably incurred.]]

[F19[F20(3)] A party’s rejection of an offer in settlement will not of itself constitute unreasonable behaviour under paragraph [F21(2)(g)] but the court may take it into consideration when it is applying the unreasonableness test.

F22 ...]

F23(3) .....

(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).

F24(5) .....

F24(6) .....

(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 Words in rule 27.14(1) omitted (1.4.2013) by virtue of [The Civil Procedure \(Amendment\) Rules 2013 \(S.I. 2013/262\)](#), [rules 2, 9\(c\)\(i\)](#) (with [rule 22](#))
- F2 Words in rule 27.14 substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), [rules 1\(1\), 9\(3\)\(a\)](#) (with [rule 2](#))
- F3 Rule 27.14(2) substituted (2.10.2006) by [The Civil Procedure \(Amendment\) Rules 2006 \(S.I. 2006/1689\)](#), [rules 1, 5\(a\)](#)
- F4 Rule 27.14(2)(a) substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), [rules 1\(1\), 9\(3\)\(b\)\(i\)](#) (with [rule 2](#))
- F5 Word in rule 27.14(2)(a) omitted (1.10.2023 immediately after [S.I. 2023/572](#) comes into force) by virtue of [The Civil Procedure \(Amendment No. 3\) Rules 2023 \(S.I. 2023/788\)](#), [rules 1\(1\), 17](#)
- F6 Words in rule 27.14(2)(b) substituted (31.5.2021) by [The Civil Procedure \(Amendment No. 3\) Rules 2021 \(S.I. 2021/553\)](#), [rules 2\(1\), 3\(3\)](#)
- F7 Words in rule 27.14(2)(e) substituted (31.5.2021) by [The Civil Procedure \(Amendment No. 3\) Rules 2021 \(S.I. 2021/553\)](#), [rules 2\(1\), 3\(3\)](#)
- F8 Words in rule 27.14(2)(f) substituted (31.5.2021) by [The Civil Procedure \(Amendment No. 3\) Rules 2021 \(S.I. 2021/553\)](#), [rules 2\(1\), 3\(3\)](#)
- F9 Word in rule 27.14(2)(f) omitted (30.4.2010) by virtue of [The Civil Procedure \(Amendment\) Rules 2010 \(S.I. 2010/621\)](#), [rules 1\(2\), 5\(a\)](#)
- F10 Word in rule 27.14(2)(g) substituted (30.4.2010) by [The Civil Procedure \(Amendment\) Rules 2010 \(S.I. 2010/621\)](#), [rules 1\(2\), 5\(b\)](#)
- F11 Word in rule 27.14(2)(g) omitted (1.10.2012) by virtue of [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), [rules 1, 4\(b\)\(i\)](#)
- F12 Rule 27.14(2)(h) inserted (30.4.2010) by [The Civil Procedure \(Amendment\) Rules 2010 \(S.I. 2010/621\)](#), [rules 1\(2\), 5\(c\)](#)
- F13 Words in rule 27.14(2)(h) substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), [rules 1\(1\), 9\(3\)\(b\)\(ii\)](#) (with [rule 2](#))

- F14** Words in rule 27.14(2)(h)(i) inserted (31.7.2013) by [The Civil Procedure \(Amendment No.6\) Rules 2013 \(S.I. 2013/1695\)](#), rules 2, **5(2)(b)**
- F15** Words in rule 27.14(2)(h)(ii) substituted (31.7.2013) by [The Civil Procedure \(Amendment No.6\) Rules 2013 \(S.I. 2013/1695\)](#), rules 2, **5(2)(c)**
- F16** Words in rule 27.14(2)(h)(iii) substituted (31.7.2013) by [The Civil Procedure \(Amendment No.6\) Rules 2013 \(S.I. 2013/1695\)](#), rules 2, **5(2)(d)**
- F17** Word in rule 27.14(2)(h)(iv) substituted (1.10.2012) by [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **4(b)(ii)**
- F18** Rule 27.14(2)(i) inserted (1.10.2012) by [The Civil Procedure \(Amendment No.2\) Rules 2012 \(S.I. 2012/2208\)](#), rules 1, **4(b)(iii)**
- F19** 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)**
- F20** 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)**
- F21** 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)**
- F22** 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)**
- F23** 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)**
- F24** Rule 27.14(5)(6) omitted (1.4.2013) by virtue of [The Civil Procedure \(Amendment\) Rules 2013 \(S.I. 2013/262\)](#), rules 2, **9(c)(ii)** (with rule 22)

---

#### Commencement Information

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

**Status:**

Point in time view as at 01/10/2023.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 27.14.