
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 30

TRANSFER

Criteria for a transfer order

30.3.—(1) Paragraph (2) sets out the matters to which the court must have regard when considering whether to make an order under—

- (a) s.40(2), 41(1) or 42(2) of the County Courts Act 1984⁽¹⁾ (transfer between the High Court and [^{F1}the County Court]);
 - (b) rule 30.2(1) (transfer [^{F2}within the County Court]); or
 - (c) rule 30.2(4) (transfer between the Royal Courts of Justice and the district registries).
- (2) The matters to which the court must have regard include—
- (a) the financial value of the claim and the amount in dispute, if different;
 - (b) whether it would be more convenient or fair for hearings (including the trial) to be held in some other court;
 - (c) the availability of a judge specialising in the type of claim in question [^{F3}and in particular the availability of a specialist judge sitting in an appropriate regional specialist court];
 - (d) whether the facts, legal issues, remedies or procedures involved are simple or complex;
 - (e) the importance of the outcome of the claim to the public in general;
 - [^{F4}(f) the facilities available to the court at which the claim is being dealt with, particularly in relation to—
 - (i) any disabilities of a party or potential witness;
 - (ii) any special measures needed for potential witnesses; or
 - (iii) security;]
 - [^{F5}(g) whether the making of a declaration of incompatibility under section 4 of the Human Rights Act 1998 has arisen or may arise];
 - [^{F6}(h) in the case of civil proceedings by or against the Crown, as defined in rule 66.1(2), the location of the relevant government department or officers of the Crown and, where appropriate, any relevant public interest that the matter should be tried in London.]
- [^{F7}(3) Where in proceedings [^{F8}in the County Court] the court considers that there is a real possibility that a party would in the course of the proceedings be required to disclose material the

(1) 1984 c. 28. Section 40 was substituted by section 2(1) of the Courts and Legal Services Act 1990 (c. 41). Section 41 was amended by the Matrimonial and Family Proceedings Act 1984 (c. 42), Schedule 1, paragraph 31 and by section 2(2) of the Courts and Legal Services Act 1990. Section 42 was substituted by section 2(3) of the Courts and Legal Services Act 1990.

Status: Point in time view as at 22/08/2020.

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 30.3. (See end of Document for details)

disclosure of which would be damaging to the interests of national security, the court must transfer the proceedings to the High Court.]

Textual Amendments

- F1** Words in [Rules](#) substituted (22.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014](#) (S.I. 2014/407), rules 2(1), **4(a)(i)**; S.I. 2014/954, art. 2(a)
- F2** Words in [rule 30.3\(1\)\(b\)](#) substituted (22.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014](#) (S.I. 2014/407), rules 2(1), **15(d)(i)**; S.I. 2014/954, art. 2(a)
- F3** Words in [rule 30.3\(2\)\(c\)](#) inserted (6.4.2015) by [The Civil Procedure \(Amendment No. 8\) Rules 2014](#) (S.I. 2014/3299), rules 2(c), **6**
- F4** [Rule 30.3\(2\)\(f\)](#) substituted (31.1.2011) by [The Civil Procedure \(Amendment No.2\) Rules 2010](#) (S.I. 2010/1953), rules 1(3), **3**; S.I. 2010/2988, **art. 2**
- F5** [Rule 30.3\(2\)\(g\)](#) inserted (2.10.2000) by [The Civil Procedure \(Amendment No. 4\) Rules 2000](#) (S.I. 2000/2092), rules 1, **13(b)**
- F6** [Rule 30.3\(2\)\(h\)](#) inserted (1.10.2005) by [The Civil Procedure \(Amendment No.3\) Rules 2005](#) (S.I. 2005/2292), rules 1(c), **34**
- F7** [Rule 30.3\(3\)](#) inserted (27.6.2013) by [The Civil Procedure \(Amendment No. 5\) Rules 2013](#) (S.I. 2013/1571), rules 1, **5**
- F8** Words in [rule 30.3\(3\)](#) substituted (22.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014](#) (S.I. 2014/407), rules 2(1), **15(d)(ii)**; S.I. 2014/954, art. 2(a)

Commencement Information

- I1** [Rule 30.3](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 22/08/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 30.3.