
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 35

EXPERTS AND ASSESSORS

Assessors

35.15.—(1) This rule applies where the court appoints one or more persons (an “assessor”) under section 70 of the Supreme Court Act 1981⁽¹⁾ or section 63 of the County Courts Act 1984⁽²⁾.

(2) The assessor shall assist the court in dealing with a matter in which the assessor has skill and experience.

(3) An assessor shall take such part in the proceedings as the court may direct and in particular the court may—

- (a) direct the assessor to prepare a report for the court on any matter at issue in the proceedings; and
- (b) direct the assessor to attend the whole or any part of the trial to advise the court on any such matter.

(4) If the assessor prepares a report for the court before the trial has begun—

- (a) the court will send a copy to each of the parties; and
- (b) the parties may use it at trial.

(5) The remuneration to be paid to the assessor for his services shall be determined by the court and shall form part of the costs of the proceedings.

(6) The court may order any party to deposit in the court office a specified sum in respect of the assessor’s fees and, where it does so, the assessor will not be asked to act until the sum has been deposited.

(7) Paragraphs (5) and (6) do not apply where the remuneration of the assessor is to be paid out of money provided by Parliament.

(1) 1981 c. 54.

(2) 1984 c. 28. Section 63 was amended by S.I. 1998/2940.