
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 43

SCOPE OF COST RULES AND DEFINITIONS

Definitions and application

- 43.2.**—(1) In Parts 44 to 48, unless the context otherwise requires—
- (a) “costs” includes fees, charges, disbursements, expenses, remuneration, reimbursement allowed to a litigant in person under rule 48.6 and any fee or reward charged by a lay representative for acting on behalf of a party in proceedings allocated to the small claims track;
 - (b) “costs judge” means a taxing master of the Supreme Court;
 - (c) “costs officer” means—
 - (i) a costs judge;
 - (ii) a district judge; and
 - (iii) an authorised court officer;
 - (d) “authorised court officer” means any officer of—
 - (i) a county court;
 - (ii) a district registry;
 - (iii) the Principal Registry of the Family Division; or
 - (iv) the Supreme Court Costs Office,whom the Lord Chancellor has authorised to assess costs.
 - (e) “fund” includes any estate or property held for the benefit of any person or class of person and any fund to which a trustee or personal representative is entitled in his capacity as such;
 - (f) “receiving party” means a party entitled to be paid costs;
 - (g) “paying party” means a party liable to pay costs;
 - (h) “assisted person” means an assisted person within the statutory provisions relating to legal aid; and
 - (i) “fixed costs” means the amounts which are to be allowed in respect of solicitors' charges in the circumstances set out in Part 45.
- (2) The costs to which Parts 44 to 48 apply include—
- (a) the following costs where those costs may be assessed by the court—
 - (i) costs of proceedings before an arbitrator or umpire;
 - (ii) costs of proceedings before a tribunal or other statutory body; and
 - (iii) costs payable by a client to his solicitor; and

- (b) costs which are payable by one party to another party under the terms of a contract, where the court makes an order for an assessment of those costs.