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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

[<sup>F1</sup>PART 44

General Rules about Costs

*SECTION 1*

*General*

[<sup>F1</sup>**Court's powers in relation to misconduct**

**44.11.**—(1) The court may make an order under this rule where—

- (a) a party or that party's legal representative, in connection with a summary or detailed assessment, fails to comply with a rule, practice direction or court order; or
- (b) it appears to the court that the conduct of a party or that party's legal representative, before or during the proceedings or in the assessment proceedings, was unreasonable or improper.

(2) Where paragraph (1) applies, the court may—

- (a) disallow all or part of the costs which are being assessed; or
- (b) order the party at fault or that party's legal representative to pay costs which that party or legal representative has caused any other party to incur.

(3) Where—

- (a) the court makes an order under paragraph (2) against a legally represented party; and
- (b) the party is not present when the order is made,  
the party's legal representative must notify that party in writing of the order no later than 7 days after the legal representative receives notice of the order.]

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**Textual Amendments**

- F1** Pts. 44-48 substituted (1.4.2013) by [The Civil Procedure \(Amendment\) Rules 2013 \(S.I. 2013/262\)](#), rules 2, 16, [Sch.](#) (with [rule 22](#))

**Status:**

Point in time view as at 20/09/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 44.11.