
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 44

GENERAL RULES ABOUT COSTS

Special situations

- 44.13.**—^{F1}(1) Where the court makes an order which does not mention costs—
- (a) the general rule is that no party is entitled to costs in relation to that order; but
 - (b) this does not affect any entitlement of a party to recover costs out of a fund held by him as trustee or personal representative, or pursuant to any lease, mortgage or other security.]
- (2) The court hearing an appeal may, unless it dismisses the appeal, make orders about the costs of the proceedings giving rise to the appeal as well as the costs of the appeal.
- (3) Where proceedings are transferred from one court to another, the court to which they are transferred may deal with all the costs, including the costs before the transfer.
- (4) Paragraph (3) is subject to any order of the court which ordered the transfer.

Textual Amendments

- F1** [Rule 44.13\(1\)](#) substituted (25.3.2002) by [The Civil Procedure \(Amendment No. 5\) Rules 2001 \(S.I. 2001/4015\)](#), [rules 1\(c\)](#), [24](#)

Modifications etc. (not altering text)

- C1** [Pt. 44](#) applied in part (with modifications) (26.4.1999) by [The Family Proceedings \(Miscellaneous Amendments\) Rules 1999 \(S.I. 1999/1012\)](#), [rules 1](#), [4\(1\)\(2\)](#) (with [rule 4\(3\)](#))

Commencement Information

- I1** [Rule 44.13](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 01/10/2004. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 44.13.