
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 45

FIXED COSTS

SECTION III

Pre-Action Protocol For Low Value Personal Injury Claims In Road Traffic Accidents

[^{F1}Settlement at Stage 3 where the claimant is a child

45.22.—(1) This rule applies where—

- (a) the claimant is a child;
- (b) there is a settlement after proceedings are started under the Stage 3 Procedure;
- (c) the settlement is more than the defendant's RTA Protocol offer; and
- (d) an application is made to the court to approve the settlement.

(2) Where the court approves the settlement at the settlement hearing it will order the defendant to pay—

- (a) the Stage 1 and 2 fixed costs;
- (b) the Stage 3 Type A, B and C fixed costs; and
- (c) disbursements allowed in accordance with rule 45.19.

(3) Where the court does not approve the settlement at the settlement hearing it will order the defendant to pay the Stage 1 and 2 fixed costs.

(4) Paragraphs (5) and (6) apply where the court does not approve the settlement at the first settlement hearing but does approve the settlement at the Stage 3 hearing.

(5) At the Stage 3 hearing the court will order the defendant to pay—

- (a) the Stage 3 Type A and C fixed costs for the settlement hearing;
- (b) disbursements allowed in accordance with rule 45.19; and
- (c) the Stage 3 Type B fixed costs for one of the hearings.

(6) The court in its discretion may also order—

- (a) the defendant to pay an additional amount of either or both the Stage 3—
 - (i) Type A fixed costs;
 - (ii) Type B fixed costs; or
- (b) the claimant to pay an amount equivalent to either or both of the Stage 3—
 - (i) Type A fixed costs;
 - (ii) Type B fixed costs.

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.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 45.22. (See end of Document for details)

(7) Where the settlement is not approved at the Stage 3 hearing the court will order the defendant to pay the Stage 3 Type A fixed costs.]

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Point in time view as at 01/04/2013. This version of this provision has been superseded.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 45.22.