
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 45 **E+W**

FIXED COSTS

SECTION 1

General Provisions

[^{F1}Litigants in person **E+W**

45.4.—(1) This rule applies to any claim where—

- (a) costs are payable under Section VI, Section VII or Section VIII of this Part; and
- (b) the party in whose favour the costs order is made is at any stage a litigant in person.

(2) Where this rule applies—

- (a) rule 46.5 shall apply, save that—
 - (i) where a party is a litigant in person throughout the entire claim, the costs allowed under this rule shall not exceed, except in the case of a disbursement, two-thirds of the fixed recoverable costs which would have been allowed under Section VI, Section VII or Section VIII if the litigant in person had been represented by a legal representative;
 - (ii) for any stage in Table 12, Table 14 or Table 15 during which the party is for any period a litigant in person, the costs allowed for that stage shall not exceed two thirds of the costs so specified; and
 - (iii) for any stage in Table 12, Table 14 or Table 15 during which a party is represented by a legal representative for the entire stage, the fixed recoverable costs shall apply as set out in sub-paragraph (b), provided that the total amount of costs to be allowed shall not exceed the costs which would have been allowed if the litigant in person had been represented by a legal representative for the entire claim;
- (b) where sub-paragraph (a)(iii) applies, the fixed recoverable costs shall be as follows—
 - (i) where the stage provides only for a fixed sum, the fixed sum;
 - (ii) in any other stage the difference between the fixed recoverable costs for that stage and the fixed recoverable costs for the last stage before that when the party was a litigant in person.]

Textual Amendments

F1 Pt. 45 substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), rule 1(1), [Sch. 3](#) (with rule 2)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 45.4.