
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 45

FIXED COSTS

SECTION VI

Fast Track Trial Costs

[^{F1}**Fast track trial costs where there is more than one claimant or defendant**

45.40.—(1) Where the same advocate is acting for more than one party—

- (a) the court may make only one award in respect of fast track trial costs payable to that advocate; and
- (b) the parties for whom the advocate is acting are jointly entitled to any fast track trial costs awarded by the court.

(2) Where—

- (a) the same advocate is acting for more than one claimant; and
- (b) each claimant has a separate claim against the defendant,

the value of the claim, for the purpose of quantifying the award in respect of fast track trial costs is to be ascertained in accordance with paragraph (3).

(3) The value of the claim in the circumstances mentioned in paragraph (2) or (5) is—

- (a) where the only claim of each claimant is for the payment of money—
 - (i) if the award of fast track trial costs is in favour of the claimants, the total amount of the judgment made in favour of all the claimants jointly represented; or
 - (ii) if the award is in favour of the defendant, the total amount claimed by the claimants,

and in either case, quantified in accordance with rule 45.38(3);

- (b) where the only claim of each claimant is for a remedy other than the payment of money, deemed to be more than £3,000 but not more than £10,000; and
- (c) where claims of the claimants include both a claim for the payment of money and for a remedy other than the payment of money, deemed to be—
 - (i) more than £3,000 but not more than £10,000; or
 - (ii) if greater, the value of the money claims calculated in accordance with subparagraph (a) above.

(4) Where—

- (a) there is more than one defendant; and
- (b) any or all of the defendants are separately represented,

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.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 45.40. (See end of Document for details)*

the court may award fast track trial costs to each party who is separately represented.

(5) Where—

- (a) there is more than one claimant; and
- (b) a single defendant,

the court may make only one award to the defendant of fast track trial costs, for which the claimants are jointly and severally liable.

(6) For the purpose of quantifying the fast track trial costs awarded to the single defendant under paragraph (5), the value of the claim is to be calculated in accordance with paragraph (3) of this rule.]

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 45.40.