

## STATUTORY INSTRUMENTS

# 1998 No. 3132

## The Civil Procedure Rules 1998

### PART 45

#### FIXED COSTS

#### *<sup>F1</sup>[<sup>F1</sup>II ROAD TRAFFIC ACCIDENTS—FIXED RECOVERABLE COSTS ...*

#### <sup>F1</sup>Scope and interpretation

**45.7.**—<sup>F2</sup>(1) This Section sets out the costs which are to be allowed in—

- (a) costs-only proceedings under the procedure set out in rule 44.12A; or
- (b) proceedings for approval of a settlement or compromise under rule 21.10(2),

in cases to which this Section applies.]

<sup>F3</sup>  
...

(2) This Section applies where—

- (a) the dispute arises from a road traffic accident;
- (b) the agreed damages include damages in respect of personal injury, damage to property, or both;
- (c) the total value of the agreed damages does not exceed £10,000; and
- (d) if a claim had been issued for the amount of the agreed damages, the small claims track would not have been the normal track for that claim.

(3) This Section does not apply where the claimant is a litigant in person.

(Rule 2.3 defines “personal injuries” as including any disease and any impairment of a person’s physical or mental condition)

(Rule 26.6 provides for when the small claims track is the normal track)

(4) In this Section—

- (a) “road traffic accident” means an accident resulting in bodily injury to any person or damage to property caused by, or arising out of, the use of a motor vehicle on a road or other public place in England and Wales;
- (b) “motor vehicle” means a mechanically propelled vehicle intended for use on roads; and
- (c) “road” means any highway and any other road to which the public has access and includes bridges over which a road passes.]

#### Textual Amendments

- F1** Pt. 45 Section 2 inserted (6.10.2003) by [The Civil Procedure \(Amendment No. 4\) Rules 2003 \(S.I. 2003/2113\)](#), rule 1(c), [Sch. 2 Pt. II](#) (with rule 18)

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**Status:** Point in time view as at 06/04/2010. This version of this provision has been superseded.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 45.7. (See end of Document for details)

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- F2** Rule 45.7(1) substituted (1.4.2005) by The Civil Procedure (Amendment No. 4) Rules 2004 (S.I. 2004/3419), rules 1, **11(a)**
- F3** Words in rule 45.7(1) omitted (1.4.2005) by virtue of The Civil Procedure (Amendment No. 4) Rules 2004 (S.I. 2004/3419), rules 1, **11(b)**

**Status:**

Point in time view as at 06/04/2010. 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 45.7.