
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 48

COSTS—SPECIAL CASES

SECTION 1—COSTS PAYABLE BY OR TO PARTICULAR PERSONS

[^{F1}Costs where the court has made a Group Litigation Order

48.6A.—(1) This rule applies where the court has made a Group Litigation Order (“GLO”).

(2) In this rule—

- (a) “individual costs” means costs incurred in relation to an individual claim on the group register;
- (b) “common costs” means—
 - (i) costs incurred in relation to the GLO issues;
 - (ii) individual costs incurred in a claim while it is proceeding as a test claim, and
 - (iii) costs incurred by the lead solicitor in administering the group litigation; and
- (c) “group litigant” means a claimant or defendant, as the case may be, whose claim is entered on the group register.

(3) Unless the court orders otherwise, any order for common costs against group litigants imposes on each group litigant several liability^(GL) for an equal proportion of those common costs.

(4) The general rule is that where a group litigant is the paying party, he will, in addition to any costs he is liable to pay to the receiving party, be liable for—

- (a) the individual costs of his claim; and
- (b) an equal proportion, together with all the other group litigants, of the common costs.

(5) Where the court makes an order about costs in relation to any application or hearing which involved—

- (a) one or more GLO issues; and
- (b) issues relevant only to individual claims,

the court will direct the proportion of the costs that is to relate to common costs and the proportion that is to relate to individual costs.

(6) Where common costs have been incurred before a claim is entered on the group register, the court may order the group litigant to be liable for a proportion of those costs.

(7) Where a claim is removed from the group register, the court may make an order for costs in that claim which includes a proportion of the common costs incurred up to the date on which the claim is removed from the group register. (Part 19 sets out rules about group litigation).]

Status: Point in time view as at 03/07/2000. This version of this provision has been superseded.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 48.6A. (See end of Document for details)

Textual Amendments

- F1** Rule 48.6A inserted (3.7.2000) by The Civil Procedure (Amendment No. 3) Rules 2000 (S.I. 2000/1317), rules 1, 34 (with rule 39)

Status:

Point in time view as at 03/07/2000. 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 48.6A.