

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 48

COSTS—SPECIAL CASES

***SECTION II—COSTS RELATING TO SOLICITORS
AND OTHER LEGAL REPRESENTATIVES***

Personal liability of legal representative for costs—wasted costs orders

48.7.—(1) This rule applies where the court is considering whether to make an order under section 51(6) of the Supreme Court Act 1981(1) (court’s power to disallow or (as the case may be) order a legal representative to meet, “wasted costs”).

(2) The court must give the legal representative a reasonable opportunity to attend a hearing to give reasons why it should not make such an order.

^{F1}(3)

[^{F2}(4) When the court makes a wasted costs order, it must—

- (a) specify the amount to be disallowed or paid; or
- (b) direct a costs judge or a district judge to decide the amount of costs to be disallowed or paid.]

(5) The court may direct that notice must be given to the legal representative’s client, in such manner as the court may direct—

- (a) of any proceedings under this rule; or
- (b) of any order made under it against his legal representative.

(6) Before making a wasted costs order, the court may direct a costs judge or a district judge to inquire into the matter and report to the court.

(7) The court may refer the question of wasted costs to a costs judge or a district judge, instead of making a wasted costs order.

Textual Amendments

- F1** Rule 48.7(3) revoked (3.7.2000) by [The Civil Procedure \(Amendment No. 3\) Rules 2000 \(S.I. 2000/1317\)](#), rules 1, **35** (with rule 39)
- F2** Rule 48.7(4) substituted (2.12.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rules 1(b), **20**

(1) 1981 c. 54. Section 51 was substituted by section 4(1) of the Courts and Legal Services Act 1990 (c. 41).

Status: Point in time view as at 02/12/2002. This version of this provision has been superseded.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 48.7. (See end of Document for details)

Commencement Information

II [Rule 48.7](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 02/12/2002. This version of this provision has been superseded.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 48.7.