

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 52 **E+W**

APPEALS

SECTION IV

Additional rules

[^{F1}^{F2}**Orders to limit the recoverable costs of an appeal – appeals in Aarhus Convention claims** **E+W**

52.19A.—(1) In this rule, “Aarhus Convention claim” and “prohibitively expensive” have the same meanings as in [^{F3}Section IX of Part 46], and “claimant” means a claimant to whom rules [^{F4}46.26 to 46.28] apply.

(2) In an appeal against a decision made in an Aarhus Convention claim to which rules [^{F5}46.26 to 46.28] apply, the court must—

- (a) consider whether the costs of the proceedings will be prohibitively expensive for a party who was a claimant; and
- (b) if they will be, make an order limiting the recoverable costs to the extent necessary to prevent this.

(3) When the court considers the financial resources of a party for the purposes of this rule, it must have regard to any financial support which any person has provided or is likely to provide to that party.]]

Textual Amendments

- F1** Pt. 52 substituted (3.10.2016) by [The Civil Procedure \(Amendment No. 3\) Rules 2016 \(S.I. 2016/788\)](#), rule 2, **Sch.** (with rule 16)
- F2** [Rule 52.19A](#) inserted (28.2.2017) by [The Civil Procedure \(Amendment\) Rules 2017 \(S.I. 2017/95\)](#), rules 2(a), **9(2)** (with rule 13(3))
- F3** Words in rule 52.19A(1) substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), rules 1(1), **17(a)(i)** (with rule 2)
- F4** Words in rule 52.19A(1) substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), rules 1(1), **17(a)(ii)** (with rule 2)
- F5** Words in rule 52.19A(2) substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), rules 1(1), **17(b)** (with rule 2)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 52.19A.