

## SCHEDULE 1

### Commencement Information

II Sch. 1 in force at 26.4.1999, see [Signature](#)

## RSC ORDER 62

### COSTS

#### APPENDIX 3

#### *Fixed Costs*

The scale of costs set out in this Appendix shall apply in the cases to which the Appendix refers.

#### *Part II*

#### **Costs on judgment without trial for possession of land**

1.—(1) Where the claim is for the possession of land, and the claimant obtains judgment—

- (a) under CPR Part 12 (default judgment); or
- (c) under CPR Part 24 (summary judgment),

for possession of the land and costs, then, subject to sub-paragraph (2), there shall be allowed the costs prescribed by paragraph 2 of this Part of this Appendix.

(2) Where the claimant is also entitled under the judgment to damages to be assessed, or where the plaintiff claims any remedy of the nature specified in Order 88, rule 1 (mortgage claims), this Part of this Appendix shall not apply.

2. The costs to be allowed under this Part of this Appendix shall be £143.75, together with any court fee, and additional costs where appropriate set out the Table below.

#### ***Additional Costs***

#### **B. Additional Costs**

<i>Amount to be allowed</i>	<i>£</i>
(1) Where there is more than one defendant, in respect of each additional defendant served	£13.75
(2) Where service by an alternative method is ordered and effected, in respect of each defendant served	£53.25
(3) Where service out of the jurisdiction is ordered and effected, in the case of service—	£68.25
(a) in Scotland, Northern Ireland, the Isle of Man or the Channel Islands	
(b) in any other place out of the jurisdiction	£77.00

**Status:** Point in time view as at 26/04/1999.

**Changes to legislation:** There are currently no known outstanding effects for the Civil Procedure Rules 1998, RSC ORDER 62. (See end of Document for details)

<i>Amount to be allowed</i>	<i>£</i>
(4) In the case of default judgment under CPR Part 12 or summary judgment under CPR Part 24 the claimant makes an affidavit of service for the purpose of a judgment where the defendant failed to respond to the claim form (the allowance to include the search fee)	£20.50
(5) In the case of summary judgment under CPR Part 24 where an affidavit of service of the Part 23 application is required	£20.50
(6) In the case of summary judgment under CPR Part 24 for each adjournment of the application	£20.50

### *Part III*

#### **Miscellaneous**

This Part shows the amount to be allowed in respect of enforcement costs.

**2.** Where a certificate in respect of money provisions contained in a judgment is registered in the High Court in the Register of United Kingdom judgments under Schedule 6 to the Civil Jurisdiction and Judgments Act 1982(1), there shall be allowed—

Costs of registration ... ..

**2A.** Where costs are allowed under the following paragraphs of this Part, the appropriate court fees shall be allowed in addition.

**3.** Where, upon the application of any person who has obtained a judgment or order against a debtor for the recovery or payment of money, a garnishee order is made under Order 49 rule 1, against a garnishee attaching debts due or accruing due from the debtor, the following costs shall be allowed—

- (a) to the garnishee to be deducted by him from any debt due by him as aforesaid before payment to the applicant ... ..
- (b) (b) to the applicant, to be retained, unless the Court otherwise orders, out of the money recovered by him under the garnishee order and in priority to the amount of the debt owing to him under the judgment or order—
  - (i) Basic costs

(1) 1982 c. 27.

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	If the amount recovered by the applicant from the garnishee is— less than £150 ... ..	
	not less than £150 ... ..	£98.50
(ii)	Additional costs	£18.00
	Where the garnishee fails to attend the hearing of the application and an affidavit of service is required ... ..	
4.	Where a charging order is granted and made absolute there shall be allowed—	£110.00
	Basic costs ... ..	
	Additional costs where an affidavit of service is required ... ..	£18.00
	together with such reasonable disbursements in respect of search fees and the registration of the order as the Court may allow.	
5.	Where leave is given under Order 45, rule 3, to enforce a judgment or order for the giving of possession of land by writ of possession, if the costs are allowed on the judgment or order there shall be allowed the following costs, which shall be added to the judgment or order—	£42.50
	Basic costs ... ..	
	Where notice of the proceedings has been given to more than one person, in respect of each additional person ... ..	£2.75
6.	Where a writ of execution within the meaning of Order 46, rule 1, is issued against any party, there shall be allowed—	£51.75
	Costs of issuing execution ... ..	

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