
STATUTORY INSTRUMENTS

2006 No. 1689

The Civil Procedure (Amendment) Rules 2006

Amendment to the Civil Procedure Rules 1998

5. In rule 27.14—

(a) for paragraph (2), substitute—

“(2) The court may not order a party to pay a sum to another party in respect of that other party’s costs, fees and expenses, including those relating to an appeal, except—

(a) the fixed costs attributable to issuing the claim which—

(i) are payable under Part 45; or

(ii) would be payable under Part 45 if that Part applied to the claim;

(b) in proceedings which included a claim for an injunction or an order for specific performance a sum not exceeding the amount specified in the relevant practice direction for legal advice and assistance relating to that claim;

(c) any court fees paid by that other party;

(d) expenses which a party or witness has reasonably incurred in travelling to and from a hearing or in staying away from home for the purposes of attending a hearing;

(e) a sum not exceeding the amount specified in the relevant practice direction for any loss of earnings or loss of leave by a party or witness due to attending a hearing or to staying away from home for the purposes of attending a hearing;

(f) a sum not exceeding the amount specified in the relevant practice direction for an expert’s fees; and

(g) such further costs as the court may assess by the summary procedure and order to be paid by a party who has behaved unreasonably.”;

(b) omit paragraph (3);

(c) re-number paragraph (2A) as paragraph (3);

(d) in paragraph (3), for “(2)(d)” substitute “(2)(g)”; and

(e) in paragraph (6), after “Where the parties agree that the fast track costs provisions are to apply, the claim”, insert “and any appeal”.