
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Civil Procedure Rules 1998 in that they—

- amend rule 7.4(3) as a consequence of amendments being made to two Practice Directions supplementing Part 7;
- amend rule 16.3 as a consequence of the increase in the financial limit of the fast track procedure from £15,000 to £25,000 for claims issued on or after 6th April 2009;
- amend rule 26.6 to increase the financial limit of the fast track procedure for claims issued on or after 6th April 2009 from £15,000 to £25,000;
- insert new rules 44.18 to 44.20 to provide for applications for costs capping orders;
- amend rule 46.2 as a consequence of the increase in the financial limit of the fast track procedure from £15,000 to £25,000 for claims issued on or after 6th April 2009. For claims issued after this date which are worth more than £15,000 the amount of fast track trial costs which the court may award is £1,650;
- amend rule 55.10 to extend the period of notice about a possession claim that must be given by the claimant to an occupier of the relevant property;
- amend rule 70.5 to clarify the procedure for the enforcement of sums payable under compromises following the amendment of the Employment Tribunal Act 1996 by section 142 of the Tribunals, Courts and Enforcement Act 2007;
- amend rule 75.5 and insert a new rule 75.5A to enable requests for a review of a court officer’s decision to be determined without an oral hearing unless the person making the request asks for a hearing or the court orders a hearing;
- amend rule 75.7 to enable an authority to request the reissue of a warrant during its 12 month validity period where the respondent’s address has changed since the warrant was originally issued;
- in relation to the new Practice Direction on Pre-Action Conduct, make minor amendments to rules 3.1(4), 14.1A(2) and 44.3(5) concerning parties’ compliance with this new Practice Direction;
- in relation to regionalisation of the Administrative Court, insert a parenthesis or “signpost” below rule 30.6 to alert the reader to the existence of a new Practice Direction concerning where hearings in the Administrative Court may be held, and make minor amendments to RSC Order 115, rules 16(1) and 32(1); and
- amend CCR Order 26, rule 17(2) following amendments to the Housing Acts of 1985, 1988 and 1996 by section 299 of, and paragraph 1 to 26 of Schedule 11 to the Housing and Regeneration Act 2008.