
EXPLANATORY NOTE

(This note is not part of the Order)

These Rules amend the Civil Procedure Rules 1998 (“the Rules”).

The amendments relate to the centralisation of some basic administrative functions at the National Civil Business Centre (“the Business Centre”) in respect of money claims issued in the county court under Part 7 of the Rules (how to start proceedings – the claim form). Northampton County Court will be the sole court of issue for all such claims. The Business Centre will act as its administrative office and will manage the preliminary stages of all such claims up to the filing by the parties of their completed allocation questionnaires.

Part 2 (application and interpretation of the rules) defines two new terms, namely “designated money claim” (i.e. a money claim issued in the county court under Part 7 of the Rules and to which no special procedures under the Rules apply) and “preferred court” (i.e. a county court specified by the claimant to which a money claim under Part 7 may be transferred in certain circumstances).

Amendments to Parts 3 (the court’s case management powers), 12 (default judgment), 13 (setting aside or varying default judgment), 14 (admissions) and 26 (case management – preliminary stage) provide for the automatic transfer of claims from the Business Centre to a county court other than Northampton County Court. Further amendments to Part 26 provide that the Business Centre will no longer automatically serve an allocation questionnaire on a party, unless that party is unrepresented.

Amendments to Part 23 (general rules about applications for court orders) make provision in respect of those instances where an application for a court order includes a designated money claim. A minor amendment is also made to Part 30 (transfer).