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STATUTORY INSTRUMENTS

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**2013 No. 262**

**The Civil Procedure (Amendment) Rules 2013**

**Transitional provisions**

**22.**—(1) The following amendments do not apply where a defence is received before 1 April 2013—

- (a) the amendments made by rules 5(e), 8(a) to (e) and (h) of these Rules; and
- (b) the amendments made by paragraphs 3 and 9(a) to (j) and (m) and (n) of the 60<sup>th</sup> Update - Practice Direction amendments, that amends the Practice Directions supplementing the Civil Procedure Rules.

(2) The amendments made by rule 5(f) and (g) of these Rules do not apply to applications made before 1 April 2013 for relief from any sanction imposed for a failure to comply with any rule, practice direction or court order.

(3) The following amendments do not apply to claims issued before 1 April 2013—

- (a) the amendments made by rules 6, 8(f) and (g), 9(a) and 19 of these Rules; and
- (b) the amendments made by paragraphs 9(k) and (l)(i) and 10(c) of the 60<sup>th</sup> Update - Practice Direction amendments that amends the Practice Directions supplementing the Civil Procedure Rules.

(4) The amendment made by rule 10(c) of these Rules does not apply where any case management conference takes place or is due to take place before 9 April 2013.

(5) The amendment made by rule 11 of these Rules does not apply where the first case management conference takes place or is due to take place before 16 April 2013.

(6) The amendments made by rule 13 of these Rules do not apply in relation to an application for permission made before 1 April 2013.

(7) The amendments made by rule 14 of these Rules do not apply in relation to a claimant's Part 36 offer which was made before 1 April 2013.

(8) The amendments made by rule 18 and the provision made by rules 45.41 to 45.44 in the Schedule (costs limits in Aarhus Convention claims) do not apply in relation to a claim commenced before 1 April 2013.

(9) The provision made by rule 47.14(7) in the Schedule (when time for appealing against assessment starts to run) of these Rules does not apply where the final hearing was concluded before 1 April 2013.

(10) The provision made by rule 47.20(1) to (5) and (7) in the Schedule (liability for costs of detailed assessment proceedings) does not apply to detailed assessments commenced before 1 April 2013 and in relation to such detailed assessments, rules 47.18 and 47.19 as they were in force immediately before 1 April 2013 apply instead.

(11) The amendment made by rule 47.20(6) in the Schedule to these Rules (interest on the costs of detailed assessment proceedings) does not apply where the date of the default, interim or final costs certificate (as the case may be) is before 1 April 2013.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(12) Any defamation proceedings commenced before 1 April 2013 within the scope of the Defamation Proceedings Costs Management Scheme provided for by Practice Direction 51D supporting Part 51 will proceed and be completed in accordance with that scheme.

(13) Any detailed assessment commenced before 1 April 2013 under the County Court Provisional Assessment Pilot Scheme provided for by Practice Direction 51E supporting Part 51 will proceed and be completed in accordance with that scheme.

(14) Any proceedings in the Mercantile Courts and the Construction Courts commenced before 1 April 2013 that are within the scope of the Costs Management in Mercantile Courts and Construction Courts Pilot Scheme provided for by Practice Direction 51G supporting Part 51 will proceed and be completed in accordance with that scheme.