
STATUTORY INSTRUMENTS

2014 No. 407

The Civil Procedure (Amendment) Rules 2014

Citation, commencement and interpretation

1. These Rules may be cited as the Civil Procedure (Amendment) Rules 2014.

2.—(1) Subject to paragraphs (2) and (3), these Rules shall come into force on the date on which section 17(1) and (2) of the Crime and Courts Act 2013(1), come into force for all purposes.

(2) Rules 3, 14(f), 14(g), and 41(6) and (7) shall come into force on 1st April 2014.

(3) Rules 12, 16, 17, 19, 21(b), 27(b), 30, 34, 35(a), 35(b), 35(e), 35(f), 35(g), 35(h)(ii), 35(i), 36, 37, 38, 39(b), 40 and 41(1) to (4), and the Schedule to these Rules shall come into force on 6th April 2014.

3. In these Rules—

- (a) a reference to a Part or rule by number alone means the Part or rule so numbered in the Civil Procedure Rules 1998(2) (“the Rules”); and
- (b) a reference to an Order by number and prefixed “RSC” means the RSC Order so numbered in Schedule 1 to those Rules; and
- (c) a reference to an Order by number and prefixed by “CCR” means the CCR Order so numbered in Schedule 2 to those Rules.

Amendments to the Civil Procedure Rules 1998

4. In the Rules and in CCR Order 27—

- (a) unless amended elsewhere in these rules —
 - (i) for “a county court”, in each place it occurs, substitute “the County Court”;
 - (ii) for “county court”, in each place it occurs, substitute “County Court”;
 - (iii) for “county courts”, in each place it occurs, substitute “the County Court”;
 - (iv) for “district judge”, in each place it occurs, substitute “District Judge”; and

5. In Part 2—

- (a) in rule 2.3—
 - (i) in paragraph (1), in the definition of “defendant’s home court”, for subparagraph (a) substitute—

(1) 2013 c.22. Section 17 was commenced for some purposes by S.I. 2013/1752.

(2) S.I. 1998/3132, amended by section 59(5) of, and paragraph 1(2) of Schedule 11 to, the Constitutional Reform Act 2005 (c.4). There are relevant amendments in S.I. 1999/1008, 2000/221, 2000/940, 2000/1317, 2000/2092, 2001/256, 2001/1388, 2001/2792, 2001/4015, 2002/2058, 2002/3219, 2003/1242, 2003/2113, 2003/3361, 2004/1306, 2004/2072, 2004/3419, 2005/2292, 2005/3515, 2006/1689, 2006/3132, 2006/3435, 2007/1655, 2007/2204, 2007/3543, 2008/2178, 2008/3327, 2009/2092, 2009/3131, 2009/3390, 2010/621, 2010/1953, 2011/88, 2011/1043, 2011/1045, 2011/3103, 2012/505, 2012/2208, 2013/262, 2013/515, 2013/1412, 2013/1571, 2013/1695, 2013/1974 and 2013/3112.

- “(a) if a claim is proceeding in the County Court, the County Court hearing centre serving the address where the defendant resides or carries on business; and”;
 - (ii) omit the definition of “designated money claim”;
 - (iii) after the definition of “judge”, insert—
 - “‘judge of the County Court’ has the meaning given in section 5 of the County Courts Act 1984.”;
 - (iv) for the definition of “preferred court” substitute—
 - “‘preferred hearing centre’ means, if the claim is proceeding in the County Court, the County Court hearing centre the claimant has specified in practice form N1 as the hearing centre to which the proceedings should be sent if necessary.”; and
 - (v) in paragraph (3)—
 - (aa) for “particular county court” substitute “the County Court”; and
 - (bb) for “district registry” substitute “District Registry”; and
 - (b) in rule 2.4, in subparagraph (b) for “or district judge” substitute “of the County Court”.
6. In Part 3—
- (a) in rule 3.4, in paragraph (4), in subparagraph (c), for “he” substitute “the claimant”;
 - (b) in the table of contents, for the entry for rule 3.5A substitute “Judgment without trial after striking out a claim in the County Court Money Claims Centre”;
 - (c) in rule 3.5—
 - (i) in paragraph (3), for “he” substitute “the defendant”; and
 - (ii) in paragraph (5), for “he wishes” substitute “they wish”;
 - (d) for rule 3.5A substitute—

“Judgment without trial after striking out a claim in the County Court Money Claims Centre

3.5A.—(1) If a claimant files a request for judgment in the County Court Money Claims Centre in accordance with rule 3.5, in a claim which includes an amount of money to be decided by the court, the claim will be sent to the preferred hearing centre.

(2) If a claim is sent to a preferred hearing centre pursuant to paragraph (1), any further correspondence should be sent to, and any further requests should be made at, the hearing centre to which the claim was sent.”; and

- (e) after rule 3.6, insert—
 - “3.6A.** If—
 - (a) a party against whom judgment has been entered under rule 3.5 applies to set the judgment aside;
 - (b) the claim is for a specified sum;
 - (c) the claim was started in the County Court Money Claims Centre; and
 - (d) the claim has not been sent to a County Court hearing centre,the claim will be sent to—
 - (i) if the defendant is an individual, the defendant’s home court; and

(ii) if the defendant is not an individual, the preferred hearing centre.”.

7. In rule 8.1, after subparagraph (2) insert—

“(2A) In the County Court, a claim under the Part 8 procedure may be made at any County Court hearing centre unless an enactment, rule or practice direction provides otherwise.

(Practice Direction 8A includes further direction in respect of claims which are not made at the appropriate County Court hearing centre in the first instance.)”.

8. In Part 12—

- (a) in the table of contents, for the entry for rule 12.5A substitute “County Court Money Claims”; and
- (b) for rule 12.5A substitute—

“County Court Money Claims

12.5A.—(1) If a claimant files a request for judgment in the County Court which includes an amount of money to be decided by the court in accordance with rules 12.4 and 12.5, the claim will be sent to the preferred hearing centre.

(2) If a claim is sent to a preferred hearing centre pursuant to paragraph (1), any further correspondence should be sent to, and any further requests should be made at, the hearing centre to which the claim was sent.”.

9. In Part 13—

- (a) after rule 13.1, omit the words in parentheses;
- (b) in rule 13.4—
 - (i) in paragraph (1)—
 - (aa) in subparagraph (c), after “has not been transferred,” insert “or, in the County Court, sent”;
 - (bb) in subparagraph (d), at the end, insert “;” and
 - (cc) in the words which follow immediately below subparagraph (d), for “the court will transfer” substitute “in the High Court the court will transfer, or, in the County Court, the court officer will send,”;
 - (ii) in paragraph (1B)—
 - (aa) in subparagraph (b), for “is a designated money claim” substitute “has been started in the County Court Money Claims Centre”;
 - (bb) in subparagraph (c), for the words from “transferred” to the end, substitute “sent to a County Court hearing centre; and”;
 - (cc) for the words which follow immediately below subparagraph (d) substitute—

“an application by a defendant under this Part to set aside or vary the judgment will be sent to the preferred hearing centre.”; and

(iii) after paragraph (1B) insert—

“(1C) If a claim is sent to a preferred hearing centre pursuant to paragraph (1B) any further correspondence should be sent to, and any further requests should be made at, the hearing centre to which the claim was sent.”.

10. In Part 14—

- (a) in the table of contents, for the entry for rule 14.7A substitute “Request for judgment for an amount of money to be decided by the court – claims in the County Court Money Claims Centre”;
- (b) in rule 14.1, in paragraph (2), for “He” substitute “The party”;
- (c) in rule 14.2, in paragraph (4), substitute—
 - “(4) If the defendant does so, this Part shall apply as if the admission had been made within that period.”.
- (d) in rule 14.4, in paragraph (3), for “he does” substitute “they do”;
- (e) in rule 14.5—
 - (i) in paragraph (3)—
 - (aa) for “him to return” substitute “the return of”; and
 - (bb) in subparagraphs (a), (b) and (c), for “he”, in each place it occurs, substitute “the claimant”;
 - (ii) in paragraph (4), in the words which follow immediately below subparagraph (b) omit “on him”;
 - (iii) in paragraph (5), for “he files the notice” substitute “the notice is filed”;
 - (iv) in paragraph (6)—
 - (aa) for “he”, in the first place it occurs, substitute “they”; and
 - (bb) for “he does” substitute “they do”; and
 - (v) in the words in parentheses which follow paragraph (9), for “he wishes” substitute “they wish”;
- (f) in rule 14.6, in paragraph (5), for the words from “on him” to the end, substitute “the claim is stayed until the request is filed.”;
- (g) in rule 14.7—
 - (i) in paragraph (3), for the words from “him to return” to “whether or not he” substitute “the return of the notice stating whether or not the claimant”;
 - (ii) in paragraph (4)—
 - (aa) omit “on him”; and
 - (bb) for “he files the notice” substitute “the notice is filed”;
 - (iii) in paragraph (5)—
 - (aa) for “he”, in the first place it occurs, substitute “they”; and
 - (bb) for “he does” substitute “they do”; and
 - (iv) in paragraph (9) for “he” substitute “the claimant”;
- (h) for rule 14.7A substitute—

“Request for judgment for an amount of money to be decided by the court – claims in the County Court Money Claims Centre

14.7A.—(1) If a claimant files a request for judgment in the County Court Money Claims Centre, for an amount of money to be decided by the court in accordance with rules 14.6 or 14.7, the claim will be sent to the preferred hearing centre.

(2) If a claim is sent to a preferred hearing centre pursuant to paragraph (1), any further correspondence should be sent to, and any further requests should be made at, the hearing centre to which the claim was sent.”;

- (i) in rule 14.9, in paragraph (4), for “he” substitute “they”;
 - (j) in rule 14.10, in paragraph (2), for “he” substitute “they”;
 - (k) in rule 14.11, in paragraph (2), for “he must do so” substitute “this must be done”;
 - (l) in rule 14.12—
 - (i) in paragraph (1), for “he” substitute “they”;
 - (ii) in paragraph (2)—
 - (aa) after “the proceedings will” insert “, in the High Court”;
 - (bb) after “transferred automatically” insert “, or, in the County Court, be sent”;
 - and
 - (cc) in subparagraph (c), after “transferred” insert “or sent”;
 - (iii) in paragraph (2A)—
 - (aa) for “transferred automatically to the preferred court” substitute “sent to the preferred hearing centre”;
 - (bb) in subparagraph (b), for “is a designated money claim” substitute “was started in the County Court”; and
 - (cc) in subparagraph (d), for “transferred” substitute “sent”;
 - (m) in rule 14.13—
 - (i) in paragraph (3)—
 - (aa) after “the proceedings will” insert “, in the High Court”;
 - (bb) after “transferred”, in the first place it occurs, insert “, or, in the County Court, be sent”; and
 - (cc) in subparagraph (c), after “transferred” insert “or sent”; and
 - (ii) in paragraph (3A)—
 - (aa) for “transferred to the preferred court” substitute “sent to the preferred hearing centre”;
 - (bb) in subparagraph (b), for “is a designated money claim” substitute “was started in the County Court”; and
 - (cc) in subparagraph (c), for “transferred” insert “or sent”.
- 11.** In rule 16.3, in paragraph (5)(a), for “£25,000” substitute “£100,000”.
- 12.** In rule 21.1—
- (a) for paragraph (1)(c) substitute—
 - “(c) does not apply to—
 - (i) proceedings under Part 75;
 - (ii) enforcement of specified debts by taking control of goods; or
 - (iii) applications in relation to enforcement of specified debts by taking control of goods,where one of the parties to the proceedings is a child.”; and
 - (b) in paragraph (2)—
 - (i) at the end of subparagraph (e), for “.” substitute “.”; and
 - (ii) after subparagraph (e) insert—
 - “(f) “specified debts” has the same meaning as in rule 75.1(2)(e); and

- (g) “taking control of goods” means using the procedure to take control of goods contained in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007(3).”.

13. In rule 23.2—

- (a) in paragraph (1), after “made to the court” insert “or County Court hearing centre”;
- (b) for paragraph (2) substitute—
 “(2) If a claim has been transferred to another court, or transferred or sent to another County Court hearing centre since it was started, an application must be made to the court or the County Court hearing centre to which the claim has been transferred or sent, unless there is good reason to make the application to a different court.”;
- (c) For paragraph (4A) substitute—
 “(4A) An application made in the County Court before a claim has been started may be made at any County Court hearing centre, unless any enactment, rule or practice direction provides otherwise.”; and
- (d) in paragraph (5)—
 (i) for “any court” substitute “the court or County Court hearing centre”; and
 (ii) after “judgment unless any” insert “enactment.”.

14. In Part 26—

- (a) in the table of contents—
 (i) in the entry for rule 26.2, after “Automatic transfer” insert “in the High Court”;
 (ii) for the entry for rule 26.2A substitute “Transfer of money claims within the County Court” ; and
 (iii) after the entry for rule 26.4 insert—

“Referral to the Mediation Service

Rule 26.4A”.

- (b) in rule 26.1—
 (i) in paragraph (1)—
 (aa) in subparagraph (a), for “between courts; and ” substitute “in the High Court.”; and
 (bb) after subparagraph (a) insert—
 “(a1) the circumstances in which defended cases may be sent from one County Court hearing centre or court office to another; and”;
- (c) in rule 26.2—
 (i) in the heading to the rule, for “— generally” substitute “in the High Court”;
 (ii) omit “This rule applies where rule 26.2A does not apply.”; and
 (iii) in paragraph (1), after “This rule applies to proceedings” insert “in the High Court”;
- (d) in rule 26.2A—
 (i) in the heading to the rule, for “Automatic Transfer of designated money claims” substitute “Transfer of money claims within the County Court”;

(3) 2007 c.15. Schedule 12 is amended by the Crime and Courts Act 2013 (c.22), section 17(5) and Schedule 9, paragraph 52(1) (b) and (2).

- (ii) in paragraph (1), for “a designated money claim” substitute “for an amount of money in the County Court, specified or unspecified”;
- (iii) in paragraph (2)—
 - (aa) for “proper”, in each place it occurs, substitute “court”;
 - (bb) for “transfer” substitute “send”; and
 - (cc) for “as appropriate” substitute “, or such other court as may be appropriate”;
- (iv) for paragraph (3) substitute—

“(3) Subject to paragraph (5), if the defendant is an individual, at the relevant time the claim will be sent to the defendant’s home court (save that where there are two or more defendants, one or more of whom are individuals, the claim will be sent to the home court of the defendant who first files their defence).”;
- (v) in paragraph (4), for “transfer” substitute “send”;
- (vi) in paragraph (5)—
 - (aa) omit “the court will transfer”; and
 - (bb) after “the claim” insert “will be sent”;
- (e) in rule 26.3—
 - (i) in paragraph (6), in subparagraph (a), omit “at court”;
 - (ii) in paragraph (7A), for “designated money claim” substitute “claim to which rule 26.2A applies”;
 - (iii) in paragraph (8), for “not a designated money claim” substitute “a claim to which rule 26.2 applies”; and
 - (iv) in paragraph (10)—
 - (aa) for “an order has been made” substitute “a case has been struck out”; and
 - (bb) after “rule 26.3(7A)(b) or”, insert “an order has been made under”;
- (f) after rule 26.4 insert—

“Referral to the Mediation Service

26.4A.—(1) This rule applies to claims started in the County Court which would normally be allocated to the small claims track pursuant to rule 26.6.

(2) This rule does not apply to—

- (a) road traffic accident, personal injury or housing disrepair claims; or
- (b) any claim in which any party to the proceedings does not agree to referral to the Mediation Service.

(3) In this rule, “the Mediation Service” means the Small Claims Mediation Service operated by Her Majesty’s Courts and Tribunals Service.

(4) Where all parties indicate on their directions questionnaire that they agree to mediation, the claim will be referred to the Mediation Service.

(5) If a claim to which this rule applies is settled, the proceedings will automatically be stayed with permission to apply for—

- (a) judgment for the unpaid balance of the outstanding sum of the settlement agreement; or
- (b) the claim to be restored for hearing of the full amount claimed,

unless the parties have agreed that the claim is to be discontinued or dismissed.”; and

- (g) in rule 26.5, after paragraph (2), insert—
- “(2A) If—
- (a) a claim is referred to the Mediation Service pursuant to rule 26.4A; and
- (b) the court has not been notified in writing that a settlement has been agreed, the claim will be allocated to a track in accordance with this rule no later than four weeks from the date on which the last directions questionnaire is filed.”.

15. In Part 30—

- (a) in the table of contents to this Part, in the entry for rule 30.2, for “between county courts and within” substitute “within the County Court and”;
- (b) in rule 30.1, in paragraph (1), for “between county courts” substitute “within the County Court”;
- (c) in rule 30.2—
- (i) in the heading to the rule, for “between county courts and within” substitute “within the County Court and”;
- (ii) in paragraph (1)—
- (aa) for “A county court may order proceedings before that court” substitute “In the County Court, a court may order that proceedings”;
- (bb) for “to be”, substitute “may be”;
- (cc) for “county court” substitute “County Court hearing centre”;
- (dd) in the words which follow immediately below subparagraph (b)(ii), for “in that other county court” substitute “elsewhere”;
- (iii) omit paragraph (2);
- (iv) in paragraph (3)—
- (aa) omit “or (2)”; and
- (bb) for “county court” substitute “County Court hearing centre”;
- (v) in paragraph (7), for the words from “in a particular County Court” to the end, substitute “by sending, or making, the claim or application to a particular County Court hearing centre, paragraph (1) does not give the court power to order proceedings to be transferred elsewhere.”;
- (d) in rule 30.3—
- (i) in paragraph (1), in subparagraph (b), for “between county courts” substitute “within the County Court”; and
- (ii) in paragraph (3), for “before a county court” substitute “in the County Court”;
- (e) in rule 30.4, for the words from “the court from which they will be transferred” to “notice of the”, substitute “it will give notice of that”;
- (f) in rule 30.6, for “county court” substitute “County Court hearing centre”;
- (g) in rule 30.7—
- (i) after “to another court” insert “or County Court hearing centre”; and
- (ii) after “if that court” insert “or hearing centre”.

16. In Part 40—

- (a) in the table of contents to this Part—
- (i) after the entry for rule 40.8, insert—

“Stay of execution and other relief Rule 40.8A”;

(ii) after the entry for rule 40.9, insert—

“County Court judgments and orders – Rule 40.9A”
variation of payment

(iii) after the entry for rule 40.13, insert—

“County Court set-off of cross-judgments Rule 40.13A”; and

(iv) after the entry for rule 40.14, insert—

“County Court certificate of judgment Rule 40.14A

Order of appeal court Rule 40.14B”;

(b) after rule 40.8, insert—

“Stay of execution and other relief

40.8A. Without prejudice to rule 83.7(1), a party against whom a judgment has been given or an order made may apply to the court for—

- (a) a stay of execution of the judgment or order; or
- (b) other relief,

on the ground of matters which have occurred since the date of the judgment or order, and the court may by order grant such relief, and on such terms, as it thinks just.”;

(c) after rule 40.9, insert—

“County Court judgments and orders - variation of payment

40.9A.—(1) In this rule—

- (a) “creditor” means the person entitled to the benefit of a judgment or order;
- (b) “debtor” means the person liable to make the payment under the judgment or order; and
- (c) “debtor’s home court” means the court, or County Court hearing centre, serving the address of the debtor.

(2) Where a judgment or order has been given or made in the County Court for the payment of money, the creditor or, as the case may be, the debtor may apply in accordance with this rule for a variation in the date or rate of payment.

(3) The creditor may apply in writing, without notice being served on any other party, for an order that the money—

- (a) if payable in one sum, be paid—
 - (i) at a later date than that by which it is due; or
 - (ii) by instalments; or

(b) if already payable by instalments, be paid by the same or smaller instalments, and the court officer may make an order accordingly, subject to paragraph (4).

- (4) If no payment has been made under the judgment or order for 6 years before the date of the application, the court officer must refer the application to the District Judge.
- (5) The creditor may apply to the District Judge in writing and on notice for an order that the money—
- (a) if payable in one sum, be paid at an earlier date than that by which it is due; or
 - (b) if payable by instalments, be paid in one sum or by larger instalments.
- (6) Any application under paragraph (5) must state the proposed terms and the grounds on which it is made.
- (7) Where an application is made under paragraph (5)—
- (a) the proceedings will be automatically transferred to the debtor's home court if the judgment or order was not given or made in that court; and
 - (b) the court officer will fix a day for the hearing of the application before the District Judge and give to the creditor and the debtor not less than 8 days' notice of the day so fixed.
- (8) The debtor may apply for an order that the money—
- (a) if payable in one sum, be paid at a later date than that by which it is due or by instalments; or
 - (b) if already payable by instalments, be paid by smaller instalments.
- (9) Any application under paragraph (8) must—
- (a) be in the appropriate form;
 - (b) state the proposed terms;
 - (c) state the grounds on which it is made; and
 - (d) include a signed statement of the debtor's means.
- (10) Where an application is made under paragraph (8), the court officer will—
- (a) send the creditor a copy of the debtor's application and statement of means; and
 - (b) require the creditor to notify the court in writing, within 14 days of service of notification, giving reasons for any objection the creditor may have to the granting of the application.
- (11) If the creditor does not notify the court of any objection within the time stated, the court officer will make an order in the terms applied for.
- (12) Upon receipt of a notice from the creditor under paragraph (10), the court officer may determine the date and rate of payment and make an order accordingly.
- (13) Any party affected by an order made under paragraph (12) may, within 14 days of service of the order and giving reasons, apply on notice for the order to be re-considered and, where such an application is made—
- (a) the proceedings will be automatically transferred to the debtor's home court if the judgment or order was not given or made in that court; and
 - (b) the court officer shall fix a day for the hearing of the application before the District Judge and give to the creditor and the debtor not less than 8 days' notice of the day so fixed.
- (14) On hearing an application under paragraph (13), the District Judge may confirm the order or set it aside and make such new order as the District Judge thinks fit and the order so made will be entered in the records of the court.

(15) Any order made under any of the foregoing paragraphs may be varied from time to time by a subsequent order made under any of those paragraphs.”;

(d) after rule 40.13, insert—

“County Court set-off of cross-judgments

40.13A.—(1) This rule applies to applications under section 72 of the County Courts Act 1984⁽⁴⁾ for permission to set off any sums, including costs, payable under several judgments or orders each of which was obtained in the County Court.

(2) Where the judgments or orders have been obtained in the same County Court hearing centre, the application—

(a) may be made to that hearing centre on the day when the last judgment or order is obtained, if both parties are present; and

(b) in any other case must be made on notice.

(3) Where the judgments or orders have been obtained in different County Court hearing centres, the application may be made to any of them on notice.

(4) The District Judge located at the hearing centre to which the application is made will—

(a) forthwith stay execution on any judgment or order to which the application relates; and

(b) notify any hearing centre that made the relevant judgments or orders of the stay.

(5) Where execution has been stayed under paragraph (4), any money paid into court under the judgment or order will be retained until the application has been disposed of and the court has directed how any money paid into court is to be dealt with.

(6) Paragraphs (7) and (8) apply where an order is made by the High Court giving permission to set off sums payable under several judgments and orders obtained respectively in the High Court and the County Court.

(7) The High Court will send to the County Court a copy of the order giving permission, and the County Court will deal with any money paid into court in accordance with that order.

(8) The court officer of the County Court will enter satisfaction in the County Court records for any sums ordered to be set off, and execution or other process for the enforcement of any judgment or order not wholly satisfied will issue only for the balance remaining payable.”; and

(e) after rule 40.14, insert—

“County Court certificate of judgment

40.14A.—(1) Any person who wishes to have a certificate of any judgment or order given or made in a claim in the County Court (“the applicant”) may make a request in writing to the court.

(2) If the applicant is a party to the claim, the request must state whether the certificate—

(a) is required for the purpose of taking proceedings on the judgment or order in another court;

(4) 1984 c.28. Section 72 is amended by the Crime and Courts Act 2013 (c.22), section 17(5), and Schedule 9, Part 1, paragraph 10(1)(b).

- (b) is required for the purpose of enforcing the judgment or order in the High Court; or
 - (c) is for the purpose of evidence only.
- (3) If the applicant is not a party to the claim, the request must state—
- (a) the purpose for which the certificate is required;
 - (b) the capacity in which the person asks for the certificate; and
 - (c) any other facts showing that the certificate may properly be granted.
- (4) Where the certificate is required for the purpose of enforcing the judgment or order in the High Court, the applicant must also either—
- (a) state that—
 - (i) it is intended to enforce the judgment or order by execution against goods; or
 - (ii) the judgment or order to be enforced is an order for possession of land made in a possession claim against trespassers; or
 - (b) confirm that an application has been made for an order under section 42 of the County Courts Act 1984⁽⁵⁾ (transfer to High Court by order of the County Court) and attach a copy of the application to the request for a certificate.
- (5) Where the applicant making the request is not a party to the claim, the request will be referred to the District Judge, who may refer it to the judge.
- (6) Without prejudice to paragraph (5), for the purposes of section 12(2) of the County Courts Act 1984⁽⁶⁾ a certificate under this rule may be signed by a court officer.

Order of appeal court

40.14B. Where the Court of Appeal or High Court has heard and determined an appeal from the County Court, the party entitled to the benefit of the order of the appeal court must deposit the order or an office copy of it in the office of the relevant hearing centre of the County Court.”.

17. In rule 42.1—

- (a) before “Where the address”, insert “(1)”;
- (b) for “his” substitute “that party’s”; and
- (c) after what will be paragraph (1), insert—
 - “(2) For the purposes of this Part, “solicitor” has the meaning set out in rule 6.2(d).”.

18. In rule 44.1, in paragraph (1), in the definition of “authorised court officer”—

- (a) in sub-subparagraph (iii), for “Principal Registry of the Family Division; or” substitute “the Family Court;”; and
- (b) after sub-subparagraph (iii), insert—
 - “(iiia) the High Court; or”.

19. In rule 45.30, in paragraph (2), in subparagraph (b), after “or registered design” insert “or registered trade mark”.

(5) 1984 c.28. Section 42 was substituted by the Courts and Legal Services Act 1990 (c.41), section 2(3), and is amended by the Crime and Courts Act 2013 (c.22), section 17(5) and Schedule 9, Part 1, paragraph 10(1)(b).

(6) Section 12(2) was amended by the Courts and Legal Services Act 1990 (c.41), section 125 and Schedule 18, paragraph 42, and is further amended by the Crime and Courts Act 2013 (c.22) section 17(5) and Schedule 9, Part 1, paragraphs 1, 7(1) and (3).

20. In rule 47.4—

(a) for paragraph (3) substitute—

“(3) In the County Court, a court may direct that another County Court hearing centre is to be the appropriate office.”; and

(b) in the words in parentheses which follow rule 47.4, for “any county court to transfer the proceedings to another county court” substitute “the transfer within the County Court of proceedings”.

21. In Part 52—

(a) in rule 52.3—

(i) in paragraph (3)—

(aa) after “permission to appeal” insert “—”; and

(bb) omit the words from “, a further application” to “the appeal court.”; and

(cc) below paragraph (3), insert—

“(a) a further application for permission may be made to the appeal court; and

(b) the order refusing permission will specify—

(i) the court to which any further application for permission should be made; and

(ii) the level of the judge who should hear the application.”; and

(ii) in paragraph (4A), in subparagraph (b)—

(aa) omit “a patents county court judge and”; and

(bb) for “circuit judge in any county court” substitute “Circuit Judge in the County Court”; and

(b) after rule 52.20, insert—

“**52.21.** Where an appeal lies to the High Court—

(a) under section 151(4) of the Pensions Schemes Act 1993 from a determination or direction of the Pensions Ombudsman; or

(b) under section 217(1) of the Pensions Act 2004 from a determination or direction of the Pension Protection Fund Ombudsman,

the permission of the High Court is required for such an appeal to be brought.”.

22. In Part 55—

(a) in rule 55.3, for paragraph (1) substitute—

“(1) In the County Court—

(a) the claimant may make the claim at any County Court hearing centre, unless paragraph (2) applies or an enactment provides otherwise;

(b) the claim will be issued by the hearing centre where the claim is made; and

(c) if the claim is not made at the County Court hearing centre which serves the address where the land is situated, the claim will be sent to the hearing centre serving that address when it is issued.

(Practice Direction 55A includes further direction in respect of claims which are not made at the County Court hearing centre which serves the address where the land is situated.)”;

(b) in rule 55.5—

- (i) in paragraph (1), for “The court” substitute “Subject to paragraph (1A), the court”;
 - (ii) after paragraph (1) insert—
 - “(1A) If the claim is not made at the County Court hearing centre which serves the address where the land is situated, a date will be fixed for hearing when the claim is received by that hearing centre.”;
 - (c) in rule 55.11, for paragraph (2) substitute—
 - “(2) The claim—
 - (a) may be brought in any County Court hearing centre; and
 - (b) will be issued by the hearing centre where it is brought.”; and
 - (d) in rule 55.16—
 - (i) in paragraph (1), in subparagraph (b), for “he” substitute “the judge”; and
 - (ii) after paragraph (1) insert—
 - “(1A) If—
 - (a) the judge directs that a date be fixed for hearing in accordance either with paragraph (2) or rule 55.18(1); and
 - (b) the claim has not been brought in the County Court hearing centre which serves the address where the land is situated,
 the judge will direct that the proceedings should be transferred to that hearing centre.”.
- 23.** In rule 56.2, for subparagraph (1) substitute—
- “(1) In the County Court—
 - (a) the claim may be made at any County Court hearing centre, unless paragraph (2) applies or an enactment provides otherwise;
 - (b) the claim will be issued by the hearing centre where the claim is made; and
 - (c) if the claim is not made at the County Court hearing centre which serves the address where the land is situated, the claim will be sent to the hearing centre serving that address.
- (Practice Direction 56 includes further direction in respect of claims which are not made at the County Court hearing centre which serves the address where the land is situated.)”.
- 24.** In Part 57—
- (a) in rule 57.1, in paragraph (2), in subparagraph (b), for sub-subparagraph (iii), insert—
 - “(iii) in the case of County Court proceedings, the office of the County Court hearing centre in question;”;
 - (b) in rule 57.2, in paragraph (3)—
 - (i) for “brought in” substitute “started by sending the claim to, or making the claim at”;
 - (ii) in subparagraph (a), for “county court” substitute “County Court hearing centre”; and
 - (iii) in subparagraph (b) for “Central London County Court” substitute “County Court at Central London”; and
 - (c) in rule 57.9, in paragraph (4)—
 - (i) for “shall” substitute “will”; and
 - (ii) for subparagraph (b) substitute—

“(b) if the County Court has jurisdiction, to a County Court hearing centre where there is also a Chancery District Registry or the County Court at Central London.”.

25. In rule 60.4, in subparagraph (c), for “county court” substitute “County Court hearing centre”.

26. In rule 61.2, in paragraph (3), in subparagraph (c), for “Central London County Court” substitute “County Court at Central London”.

27. In Part 63—

(a) In rule 63.13, in subparagraph (c), for “county court” substitute “County Court hearing centre”;

(b) in rule 63.14, in paragraph (2)—

(i) for subparagraph (a) substitute—

“(a) on a party who has registered the right at the address for service given for that right in the appropriate register at—

(i) the United Kingdom Patent Office; or

(ii) the Office for Harmonisation in the Internal Market,
provided the address is within the United Kingdom; or”;

(ii) in subparagraph (b), omit “6.32(1)”;

(c) in rule 63.19, in paragraph (1A), for “circuit judge” substitute “Circuit Judge”.

28. In Part 65—

(a) in rule 65.3—

(i) in paragraph (2)—

(aa) after “The application”, omit “must be”;

(bb) in subparagraph (a), before “made by a claim” insert “must be”;

(cc) for subparagraph (b) substitute—

“(b) may be made at any County Court hearing centre; and”;

(dd) in subparagraph (c), for “the application” substitute “must be”;

(ii) after paragraph (2) insert—

“(2A) If the application—

(a) is on notice; and

(b) is not made at a County Court hearing centre which serves the address where—

(i) the defendant resides; or

(ii) the conduct complained of occurred,

the application will be issued by the County Court hearing centre where the application is made, and sent to the hearing centre in (i) or (ii) as appropriate.

(Practice Direction 65 makes further provision in respect of claims which are not made at the County Court hearing centre which serves the relevant address.)”;

(iii) in paragraph (4), before subparagraph (a), insert—

“(a1) the application may—

(i) be made at any County Court hearing centre;

(ii) be heard at the hearing centre where the application is made; and

- (iii) at any stage of the proceedings, be transferred by the court to—
 - (aa) the hearing centre which serves the address where the defendant resides or where the conduct complained of occurred; or
 - (bb) another hearing centre as the court considers appropriate;”;
- (b) in rule 65.10, omit paragraph (2);
- (c) in rule 65.12, for the words from “in the county court” to “is situated”, substitute “in accordance with rule 55.3(1)”;
- (d) in rule 65.14, for paragraph (1) substitute—
 - (a) **28.** “(1) The claim may be made at any County Court hearing centre;
 - (b) the claim will be issued by the hearing centre where the claim is made; and
 - (c) if the claim is not made at the County Court hearing centre which serves the address where the property is situated, the claim, when it is issued, will be sent to that hearing centre.

(Practice Direction 65 makes further provision in respect of claims which are not made at the County Court hearing centre which serves the address where the property is situated.)”;

- (e) in rule 65.28—
 - (i) before “A claim”, insert “(1)”;
 - (ii) in subparagraph (a), for “; and” substitute “and—”;
 - (iii) in subparagraph (b)—
 - (aa) omit “(b) must be commenced—”; and
 - (bb) for sub-subparagraphs (i) and (ii) substitute—
 - “(i) in the High Court, must be commenced in the Queen’s Bench Division, or
 - (ii) in the County Court, may be commenced at any County Court hearing centre.”; and
 - (iv) after what will be paragraph (1), insert—
 - “(2) If the application is commenced at a County Court hearing centre which does not serve the address where—
 - (a) the defendant resides or carries on business; or
 - (b) the claimant resides or carries on business,
 the claim will be issued by the County Court hearing centre where the claim is commenced and sent to the hearing centre serving the address at (a)(i) or (ii), as appropriate.

(Practice Direction 65 makes further provision in respect of claims which are not commenced at the County Court hearing centre which serves the address where the property is situated.)”;

- (f) in rule 65.43—
 - (i) in paragraph (2)—
 - (aa) omit “must be”;
 - (bb) in subparagraph (a), before “made by”, insert “must be”; and
 - (cc) for subparagraph (b) substitute—

- “(b) may be made at any County Court hearing centre; and”;
 - (ii) in subparagraph (c), before “supported by”, insert “must be”;
 - (iii) after paragraph (2), insert—
 - “(2A) If the application—
 - (a) is on notice; and
 - (b) is made at a County Court hearing centre which does not serve the address where—
 - (i) the defendant resides or carries on business; or
 - (ii) the claimant resides or carries on business,
- the application will be issued by the County Court hearing centre where the application is made and sent to the hearing centre serving the address at (b)(i) or (ii), as appropriate.
- (Practice Direction 65 makes further provision in respect of applications which are not made at the County Court hearing centre which serves the address where the defendant resides or the conduct complained of occurred.)”;
- (iv) in paragraph (4), before subparagraph (a), insert—
 - “(a1) the application may—
 - (i) be made at any County Court hearing centre;
 - (ii) be heard at the hearing centre where the application is made; and
 - (iii) at any stage of the proceedings, be transferred by the court to—
 - (aa) the hearing centre which serves the address where the defendant resides or where the conduct complained of occurred; or
 - (bb) another hearing centre as the court considers appropriate;”
- (v) in subparagraph (6), for “acknowledgement” substitute “acknowledgment”.

29. In rule 67.3—

- (a) in paragraph (1)—
 - (i) in subparagraph (a)—
 - (aa) in sub-subparagraph (ii), for “county court’s” substitute “County Court’s”; and
 - (bb) in the words which follow immediately below sub-subparagraph (ii), for “that county court”, substitute “the County Court”;
 - (ii) in the words in the first set of parentheses which follow subparagraph (b), for “any county court” substitute “the County Court”; and
- (b) in paragraph (3), in subparagraph (c) in sub-subparagraphs (i) and (ii), for “district registry”, in each place it occurs, substitute “District Registry”.

30. In Part 70—

- (a) in the table of contents to this Part, after the entry for rule 70.2, insert—

“Court may order act to be done at expense Rule 70.2A”;
of disobedient party

- (b) in rule 70.1, in the words in parentheses which follow paragraph (1)—

- (i) after “Parts 71 to 73,” insert “81, 83, and 84,”;
 - (ii) omit “Schedule 1 RSC Orders 45 to 47 and 52”; and
 - (iii) for “25 to 29” substitute “27 and 28”; and
- (c) after rule 70.2, insert—

“Court may order act to be done at expense of disobedient party

70.2A.—(1) In this rule “disobedient party” means a party who has not complied with a mandatory order, an injunction or a judgment or order for the specific performance of a contract.

(2) Subject to paragraph (4), if a mandatory order, an injunction or a judgment or order for the specific performance of a contract is not complied with, the court may direct that the act required to be done may, so far as practicable, be done by another person, being—

- (a) the party by whom the order or judgment was obtained; or
- (b) some other person appointed by the court.

(3) Where paragraph (2) applies—

- (a) the costs to another person of doing the act will be borne by the disobedient party;
- (b) upon the act being done the expenses incurred may be ascertained in such manner as the court directs; and
- (c) execution may issue against the disobedient party for the amount so ascertained and for costs.

(4) Paragraph (2) is without prejudice to—

- (a) the court’s powers under section 39 of the Senior Courts Act 1981(7); and
- (b) the court’s powers to punish the disobedient party for contempt.”;

(d) in rule 70.3—

(i) for paragraph (1), substitute—

“(1) Subject to rule 83.17, a judgment creditor wishing to enforce a High Court judgment or order in the County Court must apply to the High Court for an order transferring the proceedings.”; and

(ii) in the words in parentheses which follow paragraph (2), for “CCR Order 25 rule 13” substitute “Rule 83.19”; and

(e) in rule 70.5, in paragraph (2A)—

- (i) after “Parts 71 to 73,” insert “81, 83, and 84,”;
- (ii) omit “Schedule 1 RSC Orders 45 to 47 and 52; and
- (iii) for “25 to 29” substitute “27 and 28”.

31. In Part 71—

(a) in rule 71.2, in paragraph (2), in subparagraph (b)—

- (i) after “in the court” insert “or County Court hearing centre”;
- (ii) in sub-subparagraph (i), after “different court” insert “or hearing centre”; and

(7) 1981 c.54. Section 39 is amended by the Crime and Courts Act 2013 (c.22) section 17(6) and Schedule 10, Part 2, paragraphs 54 and 59.

- (iii) in sub-subparagraph (ii), for the words from “Northampton” to “designated money claim”, substitute “the County Court Money Claims Centre”; and
 - (b) in rule 71.8, in paragraph (1), in the words which follow immediately below subparagraph (c), for “circuit judge”, substitute “Circuit Judge”.
- 32.** In Part 72—
 - (a) in rule 72.3, in paragraph (1), in subparagraph (b), in sub-subparagraph (ii), for the words from “Northampton” to “designated money claim”, substitute “the County Court Money Claims Centre”; and
 - (b) in rule 72.7, in paragraph (2), in subparagraph (b), for “county court” substitute “County Court hearing centre”.
- 33.** In Part 73—
 - (a) in rule 73.3, in subparagraph (2)—
 - (i) after “issued in the court” insert “or County Court hearing centre”; and
 - (ii) in subparagraph (e), for the words from “Northampton” to “designated money claim”, substitute “the County Court Money Claims Centre”; and
 - (b) in rule 73.10, in the words in parentheses which follow paragraph (2), for “county court’s” substitute “County Court’s”.
- 34.** In Part 74—
 - (a) In the table of contents, in the entry for section II, for “COUNTY COURTS” substitute “THE COUNTY COURT”.
 - (b) in rule 74.2, in paragraph (1)—
 - (i) in subparagraph (c) in sub-subparagraph (iv), after “writ of execution” insert “or a writ of control”;
 - (ii) in paragraph (d), at the end, for “.” substitute “,” and
 - (iii) after subparagraph (d) insert—
 - “(e) “writ of control” is to be construed in accordance with section 62(4) of the Tribunals, Courts and Enforcement Act 2007;
 - (f) “writ of execution” includes—
 - (i) a writ of possession;
 - (ii) a writ of delivery;
 - (iii) a writ of sequestration;
 - (iv) a writ of fieri facias de bonis ecclesiasticis,and any further writ in favour of any such writs, but does not include a writ of control.”; and
 - (iv) in the heading to section II, for “COUNTY COURTS” substitute “THE COUNTY COURT”.
- 35.** In Part 75—
 - (a) in the table of contents, for the entry for rule 75.7, substitute “Local authority warrant of control”; and
 - (b) in rule 75.1—
 - (i) paragraph (1), in the words in parentheses which follow subparagraph (b), for “Rule 21.1(1)(c)”, substitute “Rule 21.1(1)(c)(i)”;

- (ii) in paragraph (2), after subparagraph (a), insert—
 - “(a1) “enforcement agent” has the meaning given in paragraph 2(1) of Schedule 12 to the Tribunals, Courts and Enforcement Act 2007(8);
 - (a2) “local authority warrant of control” means a warrant of control issued by a local authority under article 5 of the 1993 Order;”; and
- (iii) in paragraph (2), in subparagraph (b)—
 - (aa) in sub-subparagraph (i), for “bailiff”, in each place it occurs, substitute “enforcement agent”; and
 - (bb) in sub-subparagraph (ii), for “warrant of execution” substitute “local authority warrant of control”;
- (c) in rule 75.2, in paragraph (2)—
 - (i) for subparagraph (a) substitute—
 - “(a) the Centre is deemed to be an office of the County Court; and”; and
 - (ii) in subparagraph (b) for “that court”, substitute “the County Court”;
- (d) in rule 75.3, in paragraph (3), for “county court” substitute “County Court”;
- (e) in rule 75.6—
 - (i) omit subparagraph (b);
 - (ii) in subparagraph (c), for “CCR Order 26, rule 5; and” substitute “rule 83.2;”;
 - (iii) after subparagraph (c), insert—
 - “(ca) rule 83.4; and”; and
 - (iv) omit the words in parentheses following rule 75.6(d);
- (f) in rule 75.7—
 - (i) in the heading and paragraph (1), for “warrant of execution” substitute “local authority warrant of control”; and
 - (ii) omit paragraphs (5) and (6);
- (g) in rule 75.8, in subparagraph (c), for “bailiff” substitute “enforcement agent”;
- (h) in rule 75.9—
 - (i) for “another county court” substitute “a County Court hearing centre”; and
 - (ii) in subparagraph (b), for “warrant of execution” substitute “local authority warrant of control”; and
- (i) in rule 75.10, in paragraph (d), in subparagraph (ii), for “warrant of execution” substitute “local authority warrant of control”.

36. After Part 82, insert Parts 83 to 86 as set out in the Schedule to these Rules.

37. In Schedule 1 to the Rules, omit—

- (a) RSC Order 17;
- (b) RSC Order 45;
- (c) RSC Order 46;
- (d) RSC Order 47; and
- (e) RSC Order 113.

- 38.** In Schedule 2 to the Rules, omit—
- (a) CCR Order 22;
 - (b) CCR Order 24;
 - (c) CCR Order 25;
 - (d) CCR Order 26; and
 - (e) CCR Order 33.
- 39.** In CCR Order 27—
- (a) in the table of contents to the Order, in the entries for —
 - (i) rule 13; and
 - (ii) rule 20,for “motion” substitute “initiative”;
 - (b) in rule 1, in paragraph (1), after the definition of “the Act of 1971” insert—
 - ““judgment creditor” means the person who has obtained or is entitled to enforce a judgment or order;
 - “debtor” means the person against whom a judgment or order was given or made.”;
 - (c) in rule 2—
 - (i) in paragraph (1)—
 - (aa) delete “officer of every court”;
 - (bb) delete “residing”; and
 - (cc) for the words from “that court” to the end, substitute “the court.”;
 - (ii) omit paragraph (2);
 - (iii) in paragraph (3)—
 - (aa) for “The” substitute “A”; and
 - (bb) omit “believed to be residing within the district of the court”;
 - (d) in rule 3—
 - (i) in paragraph (1), for the words from “may be made” to “for the district in which”, substitute “must be made at the County Court hearing centre which serves the address where”;
 - (ii) in paragraph (2)—
 - (aa) for “court” substitute “County Court hearing centre”; and
 - (bb) omit “, or for the district in which,”;
 - (iii) in paragraph (3)—
 - (aa) for the words “court for the district in” substitute “County Court hearing centre which serves the address at”;
 - (bb) for “, so however that” substitute “. However,”;
 - (cc) for “by any such court” substitute “at any other hearing centre”; and
 - (dd) for “to that court” substitute “there”; and
 - (iv) in paragraph (4)—
 - (aa) for “Northampton County Court in respect of a designated money claim” substitute “the County Court Money Claims Centre”; and
 - (bb) for “since been transferred” insert “or sent”; and

- (cc) omit “different”;
- (e) in rule 4—
 - (i) in paragraph (1), for “his” substitute “the”; and
 - (ii) in subparagraph (b)—
 - (aa) omit “the justices’ chief executive for”; and
 - (bb) for “by that chief executive” substitute “from the magistrates’ court”;
- (f) in rule 5—
 - (i) in paragraph (2)—
 - (aa) omit “on him”
 - (bb) omit “for him”; and
 - (cc) for “his knowledge” substitute “the debtor’s knowledge”; and
 - (ii) in paragraph (2A)—
 - (aa) for “defendant” substitute “debtor”; and
 - (bb) for “he pays” substitute “the debtor pays”;
- (g) in rule 6—
 - (i) for “his” substitute “their”; and
 - (ii) for “him” substitute “them”;
- (h) in rule 7—
 - (i) in paragraph (1), for “he has” substitute “there is”;
 - (ii) in paragraph (2), for “him and giving his” substitute “them and giving their”;
 - (iii) in paragraph (3), for “he” substitute “the District Judge”;
 - (iv) in paragraph (4)—
 - (aa) for “he”, in the first place occurs, substitute “the District Judge”; and
 - (bb) for “he has” substitute “there is”;
 - (v) in paragraph (5), for “he” substitute “they”;
 - (vi) in paragraph (6)—
 - (aa) for “him” substitute “them”; and
 - (bb) omit “his”;
 - (vii) in paragraph (7), for “he” substitute “the District Judge”; and
 - (viii) in paragraph (8)—
 - (aa) in subparagraph (a), for “him” substitute “the creditor”; and
 - (bb) in subparagraph (b), for “his” substitute “the creditor’s”;
- (i) in rule 7A, in paragraph (2)—
 - (i) omit “his”; and
 - (ii) for “he” substitute “they”;
- (j) omit rule 8;
- (k) in rule 10—
 - (i) in paragraph (1)
 - (aa) for “his”, in each of the first three places it occurs, substitute “the debtor’s”;

- (bb) omit “his” in the fourth place it occurs; and
 - (cc) in the words which follow immediately below subparagraph (c), for “and those particulars” substitute “which”;
 - (ii) in paragraph (2), for “he” substitute “the debtor”; and
 - (iii) in paragraph (3) omit “the justices’ chief executive for”;
 - (l) in rule 13—
 - (i) in the heading to the rule, for “motion” substitute “initiative”;
 - (ii) in paragraph (1), for “motion” substitute “initiative”;
 - (iii) in paragraph (2), for the words from “directed to him” to “in his employment”, substitute “does not employ the debtor”;
 - (iv) in paragraph (3), for the words “have the debtor in his employment” substitute “employ the debtor”; and
 - (v) in paragraph (9) for “motion” substitute “initiative”;
 - (m) in rule 14, in paragraph (2), for “he” substitute “the District Judge”;
 - (n) in rule 15, in paragraph (1), for “him” substitute “them”;
 - (o) in rule 16, in paragraph (1)—
 - (i) for “him”; and
 - (ii) for “he”,in both places, substitute “the alleged offender”;
 - (p) omit rule 17;
 - (q) in rule 19, in paragraph (3B), in subparagraph (b)—
 - (i) for “him”, in the first place it occurs, substitute “that party”; and
 - (ii) for “upon him, giving his reasons for any objection he may have” substitute “, giving reasons for any objection”;
 - (r) in rule 20—
 - (i) in the heading to the rule, for “motion” substitute “initiative”; and
 - (ii) for “his own motion” substitute “their own initiative”; and
 - (s) in rule 22, omit—
 - (i) “to him”; and
 - (ii) “he would”.
- 40. In CCR Order 28—**
- (a) before rule 1, insert—

“Order 28, r A1 Definitions

- 1. In this Order—**
 - (a) “judgment creditor” means the person who has obtained or is entitled to enforce a judgment or order; and
 - (b) “debtor” means the person against whom a judgment or order was given or made.”.
- (b) after rule 1, insert—

“Order 28 r 1A Description of parties

1. This rule applies where the name or address of the judgment creditor or debtor as given in the request for the issue of a judgment summons differs from that person’s name or address in the judgment or order sought to be enforced.

2. If the judgment creditor files a witness statement that satisfies the court officer that the name or address as given in the request is applicable to the person concerned, the judgment creditor or the debtor will be described in the judgment summons as “CD of [name and address as given in the request] suing [or sued] as AD of [name and address in the judgment or order]”.

Transitional provisions

41.—(1) In this rule—

- (a) “enforcement action” means the steps taken by or on behalf of a person to recover sums or property from another person;
- (b) “enforcement amendments” means the amendments made by rules 12, 16, 30, 34, 35(a), 35(b), 35(e), 35(f), 35(g), 35(h)(ii), 35(i), 36, 37, 38, 39(b) and 40 of these Rules; and
- (c) “County Court commencement date” means the date on which section 17(1) and (2) of the Crime and Courts Act 2013(9) come into force for all purposes.

(2) The enforcement amendments do not apply in relation to a writ or warrant or any enforcement action or other action taken in relation to the writ or warrant where—

- (a) permission for the issue of the writ or warrant is sought before 6th April 2014;
- (b) permission is not required for the issue of the writ, and a request for the issue of the writ is filed before 6th April 2014;
- (c) permission is not required for the issue of a warrant of execution or warrant of delivery, and a request for the issue of the warrant is filed before 6th April 2014; or
- (d) an application for the issue of a warrant of possession is made before 6th April 2014.

(3) The enforcement amendments do not apply in relation to enforcement action, or any action taken in relation to that enforcement action, where the right to take the enforcement action becomes exercisable otherwise than by virtue of a writ or warrant issued by a court, and the enforcement action is begun before 6th April 2014.

(4) Until the County Court commencement date, any reference in the enforcement amendments—

- (a) to the County Court, has effect as if it were a reference to the relevant county court or county courts then in existence; and
- (b) to a County Court hearing centre, has effect as if it were a reference to the county court corresponding to that hearing centre.

(5) As from the County Court commencement date—

- (a) proceedings started in a county court may be continued—
 - (i) in the County Court as if they had been started in the County Court; and
 - (ii) in the County Court hearing centre corresponding to that county court;
- (b) anything done in accordance with the rules which applied to a county court is to be treated as if it had been done in accordance with any rules applicable to corresponding proceedings in the County Court; and

(9) 2013 c.22. Section 17 was commenced for some purposes by S.I. 2013/1752.

(c) any act, judgment or order of a county court has the same effect as if it had been an act judgment or order of the County Court, and accordingly further proceedings in the County Court may be taken in respect of such act, judgment or order.

(6) The amendments made by rule 14(f) and (g) shall apply if one of the parties to the proceedings files their directions questionnaire on or after 1st April 2014.

(7) In any proceedings to which Practice Direction 51I (the Second Mediation Service Pilot Scheme) applies, if all parties—

(a) filed their directions questionnaires before or on 31st March 2014; and

(b) indicated on their directions questionnaires that they agreed to mediation,

the amendments made by rule 14(f) and (g) will apply as if one of the parties had filed their directions questionnaire on or after 1st April 2014, save that a claim will be allocated to track in accordance with new rule 26.5(2A) no later than four weeks from the date when the last directions questionnaire was filed.

(8) The amendment in rule 21(b) shall apply to any appeal from a determination or direction of the Pensions Ombudsman or the Pension Protection Fund Ombudsman, filed on or after 6th April 2014.

*The Right Honourable Lord Dyson, MR
Stephen Richards, LJ
Peter Coulson, J
Philip Sales, J
Master Barbara Fontaine
His Honour Judge Martin McKenna
District Judge Michael Hovington
District Judge Christopher Lethem
Nicholas Bacon QC
William Featherby QC
Edward Pepperall QC
Qasim Nawaz
Amanda Stevens
Tim Lett*

I allow these Rules
Signed by authority of the Lord Chancellor

24th February 2014

Edward Faulks
Minister of State
Ministry of Justice