
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Civil Procedure Rules 1998 (SI 1998/3132) by—

- amending Part 3 to make consolidated provision, incorporating provisions previously in Practice Direction 3E, in relation to costs budgets, particularly the circumstances in which costs budgets may be revised and varied;
- amending Part 7 to ensure that claims against Welsh public bodies which challenge the lawfulness of their decisions are issued and heard in Wales;
- amending Part 30 to make provision in relation to the transfer of proceedings for the enforcement of a judgment or order for possession of land by the County Court to the High Court;
- amending Part 32 to substitute for rule 32.14 a reformulated rule about the consequences of making a false statement in a document supported by a statement of truth;
- amending Part 34 to make provision for the procedure in relation to requests for evidence to be taken for use in a foreign court;
- amending Tables 6 and 6A in rule 45.18, to remove the words ‘*but not more than £25,000*’ from the headings to the second column of each table, which might otherwise be taken to preclude the recovery of any fixed costs in Stage 3 proceedings for damages totalling more than £25,000;
- amending rule 61.13 to insert a signpost to new paragraph 26A of Practice Direction 52C, which makes provision regarding assessors who assist the Court of Appeal in appeals from decisions of the Admiralty Court;
- amending rules 73.7 and 73.10 to enable a legal adviser to make an order that, unless a judgment creditor files certain documents by a specified date, an application for a charging order is to be dismissed and an interim charging order discharged;
- amending Part 77 in relation to the time limit for making an application in relation to a “tainted acquittal”;
- substituting Part 81 with a new Part 81 – Applications and proceedings in relation to contempt of court, that streamlines and simplifies the process for proceedings for contempt of court. The new Part follows consultation by the Civil Procedure Rule Committee: “*Proposed rule changes relating to contempt of court: redraft of CPR Part 81*”, which ran from 9 March 2020 to 11 May 2020. This instrument also contains amendments consequential on the introduction of new Part 81, to rule 31.23, 83.13, 83.14, 89.16 and 89.17, as well as amendments to introduce two new provisions: rule 34.7A and 70.1A. The amendments to rules 31.23, 83.13 and 83.14 are essentially cross-reference changes. New rule 34.7A replaces former rule 81.36 (fines imposed under section 55 of the County Courts Act 1984) and new rule 70.1A replaces former rules 81.37 and 81.38 (fines under the County Courts Act 1984 generally). The amendment to rule 89.16 has the effect of incorporating with modifications former rule 81.36; previously, rule 89.16 applied former rule 81.36 with modifications to an order under section 14 of the Attachment of Earnings Act 1971 (1971 c. 32). The amendment to rule 89.17 has the effect of incorporating with modifications former rule 81.37 and 81.38; previously rule 89.17 applied former rules 81.37 and 81.38 with modifications to proceedings under section 23(2) of the Attachment of Earnings Act 1971.

Status: Point in time view as at 01/10/2020.

Changes to legislation: There are currently no known outstanding effects for the The Civil Procedure (Amendment No. 3) Rules 2020. (See end of Document for details)

- amending Part 83 to make provision about writs and warrants of possession, including provision requiring a notice of eviction to be delivered before a writ or warrant of possession can be executed.

Status:

Point in time view as at 01/10/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure (Amendment No. 3) Rules 2020.