

2024 No. 839 (L. 11)

SENIOR COURTS OF ENGLAND AND WALES

COUNTY COURT, ENGLAND AND WALES

The Civil Procedure (Amendment No. 3) Rules 2024

<i>Made</i> - - - -	<i>29th July 2024</i>
<i>Laid before Parliament</i>	<i>30th July 2024</i>
<i>Coming into force</i> - -	<i>1st October 2024</i>

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(a) to make rules under section 1 of and Schedule 2 to that Act and after fulfilling the requirements of section 2(6) of that Act, makes the following Rules.

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Civil Procedure (Amendment No. 3) Rules 2024 and come into force on 1st October 2024.

(2) In these Rules a reference to a Part or rule by number alone means the Part or rule so numbered in the Civil Procedure Rules 1998(b).

Amendments to the Civil Procedure Rules 1998

2. The Civil Procedure Rules 1998 are amended in accordance with rules 3 to 19 of these rules.

Amendment of Part 1

3.—(1) In rule 1.1(2)—

(a) at the end of sub-paragraph (e), omit “and”;

(b) after sub-paragraph (e) insert—

“(f) promoting or using alternative dispute resolution;” and

(c) renumber the existing sub-paragraph (f) as sub-paragraph (g).

(a) 1997 c. 12. Section 2(1) was substituted by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, Part 1. Section 1(3) was substituted by section 82(1) of the Courts Act 2003 (c. 39) and further amended by the Constitutional Reform Act 2005, sections 15 and 146 and Schedule 4, Part 1, paragraphs 261 and 262 and Schedule 18. Section 1(1) was amended by the Crime and Courts Act 2013 (c. 22), section 17(5) and Schedule 9, Part 3, paragraph 67(a). Schedule 1 to the 1997 Act was amended by the Courts and Tribunals (Judiciary and Functions of Staff) Act 2018 (c. 33), section 3, Schedule, Part 1, paragraph 19, and the Crime and Courts Act 2013, section 175, Schedule 9, Part 3, paragraph 67(b).

(b) S.I. 1998/3132. There are relevant amendments in S.I. 2013/262, S.I. 2014/407, S.I. 2016/788, S.I. 2017/95, S.I. 2019/521, S.I. 2020/82, S.I. 2020/747, S.I. 2022/783, S.I. 2023/105, S.I. 2023/572, S.I. 2023/788 and S.I. 2024/106.

(2) In rule 1.4(2)(e), for “encouraging” to “such procedure” substitute “ordering or encouraging the parties to use, and facilitating the use of, alternative dispute resolution”.

Amendment of Part 2

4.—(1) In rule 2.3(1), in the definition of “judge”, for “means” to “Master” substitute “includes, unless the context otherwise requires, a Master, Admiralty Registrar, Insolvency and Companies Court Judge (“ICC Judge”)”.

(2) In rule 2.4(1)(a), for “judge” to “that Court” substitute “judge of that Court, including a Master, Admiralty Registrar, ICC Judge or District Judge”.

Amendment of Part 3

5.—(1) In rule 3.1—

(a) in paragraph (2)—

(i) sub-paragraph (bb) is renumbered as sub-paragraph (c);

(ii) existing sub-paragraphs (c) to (ll) are renumbered as sub-paragraphs (d) to (n);

(iii) after sub-paragraph (n) as so renumbered insert—

“(o) order the parties to engage in alternative dispute resolution; and”;

(iv) existing sub-paragraph (m) is renumbered as sub-paragraph (p).

(b) in paragraph (3A), for “(2)(bb)” substitute “(2)(c)”.

(2) In rule 3.7A1—

(a) in paragraph (7), for “costs which the defendant has incurred” substitute “defendant’s costs in accordance with rule 44.9(1)”; and

(b) in paragraph (8), for “costs which the defendant has incurred” substitute “defendant’s costs in accordance with rule 44.9(1)”.

Amendment of Part 7

6. In rule 7.1B, for “paragraph (1)” substitute “rule 7.1A”.

Amendment of Part 26

7. In rule 26.15, in Table 1, in the entry for complexity band 3(e), for “other money claims” substitute “other claims for a sum of money, whether the sum is specified or unspecified, except claims that fall under complexity band 1(b)”.

Amendment of Part 28

8.—(1) In rule 28.7(1)—

(a) at the end of sub-paragraph (b), omit “and”;

(b) at the end of sub-paragraph (c), for the full stop substitute “; and”;

(c) after sub-paragraph (c) insert—

“(d) whether to order or encourage the parties to engage in alternative dispute resolution.”; and

(d) omit the first set of words in parentheses after paragraph (1).

(2) In rule 28.14—

(a) in paragraph (1)—

- (i) at the end of sub-paragraph (d), omit “and”;
- (ii) at the end of sub-paragraph (e), for the full stop substitute “; and”; and
- (iii) after sub-paragraph (e) insert—

“(f) whether to order or encourage the parties to engage in alternative dispute resolution.”; and

- (b) in paragraph (3), omit sub-paragraph (a).

Amendment of Part 29

- 9. In rule 29.2, after paragraph (1) insert—

“(1A) When giving directions, the court must consider whether to order or encourage the parties to engage in alternative dispute resolution.”.

Amendment of Part 44

- 10.—(1) In rule 44.2(5)—

- (a) at the end of sub-paragraph (c), omit “and”;
- (b) at the end of sub-paragraph (d), for the full stop substitute “; and”; and
- (c) after sub-paragraph (d) insert—

“(e) whether a party failed to comply with an order for alternative dispute resolution, or unreasonably failed to engage in alternative dispute resolution.”.

- (2) In rule 44.9(1), in the closing words, after “standard basis” insert “, save that where the claim is one to which the provisions of Part 27 or Part 45 would otherwise apply, the costs shall be determined in accordance with those Parts”.

Amendment of Part 45

- 11.—(1) In the table of contents to the Part, after the entry for rule 45.62 insert—

“X FIXED COSTS DETERMINATION	
Summary determination after hearing	Rule 45.63
Determination where all parties agree on all issues except costs	Rule 45.64
Court’s power to direct assessment in conjunction with fixed costs determination	Rule 45.65
Non-application of Part 36	Rule 45.66”.

- (2) In rule 45.2—
 - (a) after “in addition to the amount of fixed costs in” insert “rules 45.8 and 45.15A and”;
 - (b) after “Section VII”, for “or” substitute a comma; and
 - (c) after “Section VIII” insert “or Section X”.
- (3) In rule 45.6(2), after “the purpose of assessing” insert “or determining”.
- (4) In rule 45.15A, after paragraph (2) insert—
 - “(3) Where appropriate, VAT may be recovered in addition to the cost of any disbursement allowable under this rule.”.

(5) In rule 45.40(3), for “assess” substitute “determine”.

(6) In rule 45.48, after paragraph (2) insert—

“(3) Where the court orders a party to pay costs in respect of a preliminary issue, unless the court orders otherwise, those costs shall be paid within 14 days of the order.

(4) Where, under this rule, a claim includes a claim for monetary relief and the court is unable at that stage to quantify the total fixed costs referred to in paragraph (1), the court—

(a) shall order the paying party to pay that element of the fixed costs which are specified in Table 12, as are then quantifiable, together with the applicable disbursements, unless there is good reason not to do so; and

(b) may order that party to pay a sum on account of that element of the fixed costs in Table 12 which are to be calculated by reference to a percentage of the damages to be awarded.”.

(7) In rule 45.51, after paragraph (4) insert—

“(5) Where the court orders a party to pay costs in respect of a preliminary issue, unless the court orders otherwise, those costs shall be paid within 14 days of the order.

(6) Where, under this rule, a claim includes a claim for monetary relief and the court is unable at that stage to quantify the total fixed costs referred to in paragraph (1), the court—

(a) shall order the paying party to pay that element of the fixed costs which are specified in Table 14, as are then quantifiable, together with the applicable disbursements, unless there is good reason not to do so; and

(b) may order that party to pay a sum on account of that element of the fixed costs in Table 14 which are to be calculated by reference to a percentage of the damages to be awarded.”.

(8) In rule 45.58, for “the disbursements to be allowed are” substitute “the court may allow a claim for a disbursement of a type mentioned in paragraphs (a) to (f)—”.

(9) In rule 45.59, for “the disbursements to be allowed are” substitute “the court may allow a claim for a disbursement of a type in mentioned in paragraphs (a) and (b)—”.

(10) In rule 45.61, for “the disbursements to be allowed are” substitute “the court may allow a claim for a disbursement of a type mentioned in sub-paragraphs (a) and (b)”.

(11) After rule 45.62 insert—

“Section X

Fixed Costs Determination

Summary determination after hearing

45.63.—(1) Subject to paragraph (3), where the court makes an order for costs at the conclusion of a hearing, it shall in the absence of agreement between the parties make a summary determination of the amount of fixed costs or disbursements to which the receiving party is entitled in accordance with this Part.

(2) Any party who intends to claim any fixed costs or disbursements in accordance with this Part, must file at court and serve on any party against whom an order for payment is intended to be sought a completed Precedent U, which must include, if applicable, the details of any claim under rule 45.9, rule 45.10 or rule 45.13, no later than 24 hours before the time fixed for the hearing.

(3) Where a court is unable to make a summary determination at the conclusion of a hearing—

- (a) it may direct that the amount of fixed costs or disbursements be determined with or without a further hearing and may give such directions for the determination as it thinks fit; and
- (b) the costs of that determination shall be treated as if it were an interim application under rule 45.8.

Determination where parties agree on all issues except costs

45.64.—(1) Where, in a claim to which this Part applies, the parties have reached an agreement made or confirmed in writing on all issues except the amount of costs or disbursements to be allowed under this Part, the receiving party may apply for the amount of those costs or disbursements to be determined in accordance with this rule.

(2) Where proceedings have been started, the application must be made in those proceedings under Part 23 as modified by this rule.

(3) Where proceedings have not been started, the application must be made by the commencement of costs only proceedings under rule 46.14 as modified by this rule.

(4) Save where the court directs to the contrary—

- (a) the evidence in support of the application must—
 - (i) be served with the application; and
 - (ii) include the written agreement or confirmation, together with a completed Precedent U containing details of the costs or disbursements to which the applicant claims to be entitled and, if applicable, the details of any claim under rule 45.9, rule 45.10 or rule 45.13;
- (b) any evidence in response to the application must be filed and served—
 - (i) within 21 days of service of the application where proceedings have been started; or
 - (ii) within 21 days of filing the acknowledgment of service where proceedings have not been started,
 and must include a completed response to the applicant’s Precedent U;
- (c) the application shall be determined without a hearing; and
- (d) the costs which the court may allow for the application are those set out in Table 17 in Practice Direction 45 and any appropriate court fee.

(5) The court shall record its determination of the application by annotating Precedent U with its decision noted against each item claimed, which must be served on the parties together with a notice stating that any party who wishes to challenge any aspect of the determination must file and serve a written request for a hearing.

(6) Any request for a hearing must—

- (a) be made within 21 days of service of the notice;
- (b) identify the decisions in the determination which the party wishes the court to reconsider; and
- (c) provide a time estimate for the hearing,

and if no such request is filed and served within that period, the determination shall be binding upon the parties.

(7) The court shall fix a date for the hearing and give at least 14 days’ notice of the hearing.

(8) The court must order the requesting party to pay the costs of and incidental to the hearing unless they achieve an adjustment in their own favour that is at least 20% of the sum determined under paragraph (5).

(9) For the purposes of any order for costs made in respect of the hearing, the application is to be treated as an interim application under rule 45.8 and the amount payable shall be determined summarily at the hearing.

Court’s power to direct assessment in conjunction with fixed costs determination

45.65. Where, in any claim to which this Section applies, a party seeks an assessment of costs under rule 45.9, rule 45.10 or rule 45.50(3)—

- (a) that party must notify the court; and
- (b) the court may give such directions as it thinks appropriate for those costs to be assessed in conjunction with the fixed costs determination.

Non-application of Part 36

45.66. Part 36 does not apply to any determination under this Section.”.

Amendment of Part 46

12.—(1) In rule 46.7(1)—

- (a) in sub-paragraph (a), at the end, for “or” substitute “and”; and
- (b) in sub-paragraph (b)—
 - (i) for “determine” substitute “assess”;
 - (ii) in paragraph (i), for “making” substitute “conducting”; and
 - (iii) in paragraph (ii), after “an order for” insert “and conducting a”.

(2) In rule 46.14(5)—

- (a) for “the amount of which is to be determined by assessment” substitute “to be assessed”; and
- (b) for “for the payment of” substitute “may determine the”.

Amendment of Part 52

13.—(1) In the Table of Contents to the Part, after the entry for rule 52.3A insert—

“Permission to appeal from the Court of Appeal to the Supreme Court	Rule 52.3B”.
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(2) In rule 52.3A, omit paragraph (2).

(3) After rule 52.3A insert—

“Permission to appeal from the Court of Appeal to the Supreme Court

52.3B. Where the appeal is one to which rule 52.3(1)(c)(iv) applies—

- (a) an application for permission to appeal must be made to the Court of Appeal;
- (b) the application must be made within 28 days after the date of the decision of the Court of Appeal which the appellant wishes to appeal.”.

(4) In rule 52.6, after “where” in the first place it appears, insert “rule 52.3B,”.

Amendment of Part 62

14. In rule 62.21(2)(e), for “74.9(2)” substitute “74.9(3)”.

Insertion of Part 68

15. After Part 67, insert Part 68 as set out in the Schedule to these Rules.

Amendment of Part 73

16. In rule 73.1(2)(ea), for “Designated Civil Judge for Greater Manchester” substitute “relevant Designated Civil Judge”.

Amendment of Part 77

17. In rule 77.5, for “King’s Bench” to the end substitute “Administrative Court in accordance with Practice Direction 77”.

Amendment of Part 81

18. In rule 81.4(2)(n), at the end insert “, but that the court may draw adverse inferences if this right is exercised”.

Amendment of Part 83

19. In rule 83.8A—

- (a) in paragraph (2)(b), after “relating to the writ or warrant,” insert “or on or by the day or days specified in any further notice of eviction or further notices of eviction delivered pursuant to this sub-paragraph relating to the writ or warrant,”;
- (b) in paragraph (3)—
 - (i) for “paragraph (2) must” substitute “paragraph (2)(a) and any further notice of eviction or further notices of eviction referred to in paragraph (2)(b) must each”; and
 - (ii) in sub-paragraph (b), before “form” insert “relevant”.
- (c) in paragraph (4), for “notice of eviction must” substitute “notice of eviction and any further notice of eviction or further notices of eviction must each”;
- (d) in paragraph (5)—
 - (i) after “court may”, insert “(at the request of any person)”;
 - (ii) in sub-paragraph (a), after “eviction” insert “or any further notice of eviction or any further notices of eviction”; and
 - (iii) in sub-paragraph (b), after “eviction” insert “or any further notice of eviction or any further notices of eviction”.

*Sir Geoffrey Vos MR
Lord Justice Birss
Mr Justice Pepperall
Mr Justice Trower
His Honour Judge Hywel James
District Judge Paul Clarke
District Judge Samantha Johnson
Master Sullivan
Isabel Hitching KC
Anja Lansbergen-Mills
Ben Roe
Ian Curtis-Nye
Elisabetta Sciallis*

I approve these Rules

29th July 2024

Heidi Alexander
Minister of State
Ministry of Justice

SCHEDULE

Rule 4

“PART 68 PROCEEDINGS UNDER THE EUROPEAN UNION (WITHDRAWAL) ACT 2018

Contents of this Part

<i>Title</i>	<i>Rule number</i>
Interpretation	Rule 68.1
References under section 6A of the Act: proceedings before County Court or High Court	Rule 68.2
References under section 6A of the Act: Court of Appeal	Rule 68.3
Submissions to the Court of Appeal on references on assimilated case law under section 6A of the Act	Rule 68.4
Interventions in references on assimilated case law under section 6A of the Act in the Court of Appeal	Rule 68.5
References on assimilated case law by law officers under section 6B of the Act	Rule 68.6
Steps after reference accepted	Rule 68.7
Section 6C of the Act - decisions on whether to depart from assimilated case law	Rule 68.8

Interpretation

68.1. In this Part—

“the Act” means the European Union (Withdrawal) Act 2018(a);

“referring court or tribunal” means the court or tribunal making a reference under section 6A of the Act to the Court of Appeal,

and terms used in this Part have the same meaning as in the Act.

References under section 6A of the Act: proceedings before County Court or High Court

68.2.—(1) An application by a party to proceedings before the County Court or High Court for that court (“the court”) to make a reference under section 6A(1) of the Act is made under Part 23 using the approved form.

(a) 2018 c. 16. Sections 6A to 6C were inserted by the Retained EU Law (Revocation and Reform) Act 2023 (c. 28).

- (2) The application notice must—
 - (a) state the point of law which arises on assimilated case law and the question to be determined on that point of law;
 - (b) set out the reasons for considering the point of law to be of general public importance; and
 - (c) describe the relevance of the point of law to the proceedings before the court.
- (3)) If the court is considering under section 6A(2)(a) of the Act whether to make a reference under section 6A(1), it must invite the parties to the proceedings to make representations.
- (4) A copy of any reference must be sent by the court to—
 - (a) the parties to the proceedings;
 - (b) the Law Officers listed in section 6C(2) of the Act.

(Rules 68.3 and 68.4 make provision for how the reference is made to the Court of Appeal and for procedure in the Court of Appeal once the reference is made; and for references to the Supreme Court, provision for those matters is made by the Supreme Court Rules.)

References under section 6A of the Act: Court of Appeal

68.3.—(1) A reference under section 6A of the Act to the Court of Appeal is made when the referring court or tribunal files the reference with the Court of Appeal.

- (2) A reference filed under paragraph (1) must—
 - (a) state the point of law which arises on assimilated case law and the question to be determined on that point of law;
 - (b) set out the referring court or tribunal’s reasons for considering the point of law to be of general public importance; and
 - (c) describe the relevance of the point of law to the proceedings before the referring court or tribunal.
- (3) Before the reference is filed, a copy of it must have been sent by the referring court or tribunal to—
 - (a) all parties to the proceedings before the referring court or tribunal; and
 - (b) the law officers listed in section 6C(2) of the Act.
- (4) The persons listed in paragraph (3) may make written submissions to the Court of Appeal as to whether the Court of Appeal should accept the reference.
- (5) Any submissions made under paragraph (4) must unless the Court of Appeal directs otherwise be filed with the Court of Appeal within 14 days of the copy of the reference being sent under paragraph (3), and a copy of the submissions must be sent to each of the persons listed in paragraph (3) when they are filed.
- (6) The question whether to accept the reference shall be considered by a single judge of the Court of Appeal and without an oral hearing, except as provided for under paragraph (7).
- (7) The judge considering the reference on paper may direct that the question whether to accept the reference be determined at an oral hearing, and must so direct if the judge is of the opinion that the question cannot be fairly determined on paper without an oral hearing.
- (8) An oral hearing directed under paragraph (7) must be listed—
 - (a) no later than 14 days from the date of the direction under that paragraph; and

(b) before the judge who made that direction,
unless the court directs otherwise.

(9) The Court of Appeal may, in any direction under paragraph (7)—

- (a) identify any issue or issues on which the submissions should specifically be focused at the oral hearing in order to assist the court to determine whether to accept the reference; and
- (b) direct any person listed in paragraph (3) to serve and file written submissions and to attend the oral hearing.

(10) The Court shall send a copy of the decision on whether to accept the reference to the referring court or tribunal and each of the persons listed in paragraph (3).

Submissions to the Court of Appeal on references on assimilated case law under section 6A of the Act

68.4.—(1) Any person may make written submissions to the Court of Appeal as to whether the Court should accept a reference under section 6A of the Act and request that the Court takes them into account.

(2) Any submissions made under paragraph (1) must be sent by the Court to the referring court or tribunal and each of the persons listed in rule 68.3(3).

(3) Any submissions made under this rule shall be referred to the judge considering whether to accept the reference, who may take them into account to such extent as the judge considers appropriate, or may decline to take them into account.

Interventions in references on assimilated case law under section 6A of the Act in the Court of Appeal

68.5.—(1) If the Court of Appeal decides to accept a reference made to it in accordance with rule 68.3, a copy of the decision shall be sent to—

- (a) each of the persons who made submissions under rule 68.4; and
- (b) the parties to the proceedings before the referring court or tribunal.

(2) If any person listed in paragraph (1) wishes to intervene in the reference, an application to intervene must be made to the Court of Appeal under Part 23.

References on assimilated case law by law officers under section 6B of the Act

68.6.—(1) A reference under section 6B of the Act to the Court of Appeal is made when a law officer files the reference with the Court of Appeal.

(2) A reference filed under paragraph (1) must—

- (a) state the question to be determined on the point of law which arose on assimilated case law in proceedings before a court or tribunal (other than a higher court) which have concluded;
- (b) confirm that the conditions in section 6B(1) of the Act are met;
- (c) describe the relevance of the point of law to the concluded proceedings; and
- (d) if the reference is made by the Lord Advocate, the Counsel General for Wales or the Attorney General for Northern Ireland, confirm that the point of law relates to the meaning or effect of relevant Scotland legislation, relevant Wales legislation or relevant Northern Ireland legislation, as applicable.

(3) A law officer making a reference under paragraph (1) must serve a copy of the reference on each of the other law officers before it is filed with the Court of Appeal.

Steps after reference accepted

68.7. When the Court of Appeal accepts a reference made to it under section 6A or 6B of the Act, it must give directions for the management of the case and set a timetable for the steps to be taken between the giving of directions and the hearing of the reference. (Section 6B(5) of the Act requires a court to which a reference is made under that section to accept the reference.)

Section 6C of the Act - decisions on whether to depart from assimilated case law

68.8.—(1) Where section 6C of the Act applies, notice of the proceedings must be given to the law officers listed in section 6C(2).

(2) A notice given under paragraph (1) must also be given to all parties to the proceedings.

(3) The following shall be joined as a party to the proceedings on notifying the court that they wish to be joined—

- (a) any UK law officer;
- (b) the Lord Advocate if the argument relates to the meaning or effect of relevant Scotland legislation;
- (c) the Counsel General for Wales if the argument relates to the meaning or effect of relevant Wales legislation;
- (d) the Attorney General for Northern Ireland, if the argument relates to the meaning or effect of relevant Northern Ireland legislation.

(4) Notification under paragraph (3) shall also be given to the other parties to the proceedings.

(5) The Court of Appeal may not decide the question whether it should depart from assimilated case law unless 28 days, or such other period as the court directs, has elapsed since the giving of notice under paragraph (1).”

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Civil Procedure Rules 1998 (S.I. 1998/3132) by—

- amending Part 1 (overriding objective), with additional amendments in Parts 3, 28 and 44, to promote the use of alternative dispute resolution in response to the decision of the Court of Appeal in *Churchill v. Merthyr Tydfil CBC* [2023] EWCA Civ 1416;
- amending Part 2 (application and interpretation of the Rules) to remove the distinction between a Master or District Judge on one hand and a “judge” on the other, so that Masters and District Judges come within the definition of “judge”;
- amending Part 3 (court’s case management powers) and Part 44 (general rules about costs) to provide that, where a claim is struck out under rule 3.7A1 (sanction for non-payment of trial fee), the claimant will be liable for the defendant’s costs in accordance with rule 44.9(1) (cases where costs orders deemed to have been made), which is amended to provide that where the claim is one to which Part 27 (small claims track) or Part 45 (fixed recoverable costs) would otherwise apply, the costs shall be determined in accordance with those Parts;
- amending Part 7 (how to start proceedings - the claim form) to correct a cross-reference as between rules 7.1A and 7.1B;
- amending Part 26 (case management - preliminary stage) by inserting additional words in rule 26.15 (assignment within the fast track), Table 1, complexity band 3(e), to better distinguish other claims for a sum of money from “defended debt claims” in complexity band 1(b);
- amending Part 28 (the fast track and intermediate track) to remove now superseded cross-references in rules 28.7 and 28.14;
- amending Part 45 (fixed costs)—
 - to provide for the recoverability of VAT, in addition to fixed recoverable costs, under rules 45.8 (pre-action and interim applications), 45.15A (restoration proceedings) and new Section X (fixed costs determination) of Part 45, and disbursements in restoration proceedings under rule 45.15A, which in respect of rules 45.8 and 45.15A was previously provided for in Practice Direction 45;
 - to provide in rules 45.48 and 45.51 (preliminary issue or separate trial in the fast track and intermediate track, respectively) that, where a costs order is made in respect of a preliminary issue, and the court is unable at that stage to quantify the total fixed costs specified in Tables 12 or 14 respectively, the court shall, unless there is good reason not to do so, order the payment of those costs which are specified in Tables 12 or 14 and may order a payment on account of that element of the costs which are calculated as a percentage of the damages;
 - to ensure consistency of language between certain rules in Section IX (disbursements), so in each case making clear the court’s discretion, regarding claims for disbursements under Section IV (pre-action protocols for low value personal injury claims in road traffic accidents and employers liability and public liability personal injury claims), Section VI (fast-track) and Section VIII (noise induced hearing loss claims) in Part 45;
 - by inserting new Section X (fixed costs determination) to provide a bespoke procedure for, and fixing the recoverable costs of, the summary determination of fixed recoverable costs following a hearing, and where both before and after proceedings have started, the parties agree on all issues except costs;
 - by making minor amendments to rules 45.6 and 45.40 (and also in Part 46 (costs special cases), in rules 46.7 and 46.14) consequential upon the introduction of the fixed costs determination procedure;
- amending Part 52 (appeals) to insert a new rule 52.3B providing for a deadline for seeking permission from the Court of Appeal to appeal to the Supreme Court, the deadline being 28 days after the date of the decision of the Court of Appeal which the appellant wishes to appeal, or such longer period as the Court of Appeal orders;
- amending Part 62 (arbitration claims) to update a cross-reference;

- inserting a new Part 68 to make provision in relation to references to higher courts and related interventions pursuant to sections 6A to 6C of the European Union (Withdrawal) Act 2018, concerning assimilated case law;
- amending Part 73 (charging orders, stop orders and stop notices) to make it possible for a Designated Civil Judge other than the Designated Civil Judge for Greater Manchester to consent to the exercise by legal advisers of specified jurisdiction of the court under Part 73, by substituting “relevant Designated Civil Judge” for “Designated Civil Judge for Greater Manchester”, aligning with the wording and approach taken in respect of legal advisers exercising jurisdiction under other Parts and practice directions;
- amending Part 77 (provision in support of criminal justice) to introduce a requirement for applications for Serious Crime Prevention Orders under the Serious Crime Act 2007 (c. 27) to be made to the Administrative Court;
- amending Part 81 (applications and proceedings in relation to contempt of court) to add to rule 81.4, which requires a committal application to give information to a respondent about rights including the right to silence, a requirement to warn of the risk of the court drawing adverse inferences from that silence if that right is exercised. This follows case law (*Inplayer Ltd. and another v. Thorogood* [2014] EWCA Civ 1511) and aligns with the criminal proceedings position);
- amending Part 83 (writs and warrants - general provisions) to clarify the operation of the notice of eviction procedure in rule 83.8A in relation to further notices of eviction following a previous failure to effect an entire eviction.

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