

*Changes to legislation:* Civil Procedure Act 1997, SCHEDULE 1 is up to date with all changes known to be in force on or before 19 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

# SCHEDULES

## SCHEDULE 1

Section 1.

### CIVIL PROCEDURE RULES

#### Modifications etc. (not altering text)

- C1** Sch. 1: power to make rules of court extended (25.3.2002) by 1979 c. 53, s. 5(2) (as substituted 25.3.2002 by S.I. 2002/439, art. 5(a))

#### *Matters dealt with by the former rules*

- 1 Among the matters which Civil Procedure Rules may be made about are any matters which were governed by the former Rules of the Supreme Court or the former county court rules (that is, the <sup>M1</sup>Rules of the Supreme Court (Revision) 1965 and the <sup>M2</sup>County Court Rules 1981).

#### Marginal Citations

- M1** S.I. 1965/1776.  
**M2** S.I. 1981/1687.

#### *Exercise of jurisdiction*

- <sup>F1</sup>2 .....

#### Textual Amendments

- F1** Sch. 1 para. 2 omitted (6.4.2020) by virtue of Courts and Tribunals (Judiciary and Functions of Staff) Act 2018 (c. 33), s. 4(3), Sch. para. 19; S.I. 2020/24, reg. 3(b) (with savings in S.I. 2020/100, regs. 1(2), 3)

#### *Removal of proceedings*

- 3 (1) Civil Procedure Rules may provide for the removal of proceedings at any stage—
- (a) within the High Court (for example, between different divisions or different district registries), or
  - (b) [<sup>F2</sup> within the county court ].
- (2) In sub-paragraph (1)—
- (a) “provide for the removal of proceedings” means—
    - (i) provide for transfer of proceedings, or
    - (ii) provide for any jurisdiction in any proceedings to be exercised (whether concurrently or not) elsewhere within the High Court or,

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- as the case may be, [<sup>F3</sup> elsewhere within the county court ] without the proceedings being transferred, and
- (b) “proceedings” includes any part of proceedings.

#### Textual Amendments

- F2** Words in Sch. 1 para. 3(1)(b) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 67\(b\)\(i\)](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F3** Words in Sch. 1 para. 3(2)(a)(ii) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 67\(b\)\(ii\)](#); S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

#### *Evidence*

- 4 Civil Procedure Rules may modify the rules of evidence as they apply to proceedings in any court within the scope of the rules.

#### *Application of other rules*

- 5 (1) Civil Procedure Rules may apply any rules of court which relate to a court which is outside the scope of Civil Procedure Rules.
- (2) Any rules of court, not made by the Civil Procedure Rule Committee, which apply to proceedings of a particular kind in a court within the scope of Civil Procedure Rules may be applied by Civil Procedure Rules to other proceedings in such a court.
- (3) In this paragraph “rules of court” includes any provision governing the practice and procedure of a court which is made by or under an enactment.
- (4) Where Civil Procedure Rules may be made by applying other rules, the other rules may be applied—
- (a) to any extent,
  - (b) with or without modification, and
  - (c) as amended from time to time.

#### *Practice directions*

- 6 Civil Procedure Rules may, instead of providing for any matter, refer to provision made or to be made about that matter by directions.

#### *Different provision for different cases etc.*

- 7 The power to make Civil Procedure Rules includes power to make different provision for different cases or different areas, including different provision—
- (a) for a specific court or specific division of a court, or
  - (b) for specific proceedings, or a specific jurisdiction,
- specified in the rules.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(4) inserted by [2022 c. 35 Sch. 4 para. 2\(2\)](#)
- s. 3(3)(4) substituted by [2005 c. 4 Sch. 4 para. 265\(2\)](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(v), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 3(5) words substituted by [2005 c. 4 Sch. 4 para. 265\(3\)](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(v), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 3(6) words repealed by [2005 c. 4 Sch. 4 para. 265\(4\)Sch. 18 Pt. 2](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 paras. 11(v), 30(b), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 3(7) repealed by [2005 c. 4 Sch. 4 para. 265\(5\)Sch. 18 Pt. 2](#) (This amendment is made to s. 3 as prospectively amended by 2003 c. 39, s. 85(2). Although it is in force at 3.4.2006 by S.I. 2006/1014, art. 2(a), Sch. 1 paras. 11(v), 30(b), it cannot be applied until the substitution of s. 3 has been brought into force)
- s. 5(7) inserted by [2022 c. 35 Sch. 4 para. 2\(3\)](#)