

*These notes refer to the Courts Act 2003 (c.39)
which received Royal Assent on 20 November 2003*

COURTS ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS: PART 7

Civil Procedure Rules

Section 85: Process for making Civil Procedure Rules

201. The Civil Procedure Rules, created under the CPA 1997, govern the practice and procedure of the civil division of the Court of Appeal, the High Court and the county courts.
202. This section makes minor amendments to the CPA 1997 by providing for the Lord Chancellor to allow, disallow or alter rules made by the Committee. Before altering rules the Lord Chancellor must consult the committee. Altered rules will be subject to the affirmative resolution procedure in Parliament to allow democratic scrutiny of the exercise of this power by the Lord Chancellor. Those rules which are allowed by the Lord Chancellor without alteration will continue to follow the negative resolution procedure.