
 STATUTORY INSTRUMENTS

1981 No. 1181 (L. 10)

COUNTY COURTS
PROCEDURE

The County Court (Amendment) Rules 1981

Made - - - - - 3rd August 1981

Coming into Operation 1st October 1981

Citation and interpretation

1.—(1) These Rules may be cited as the County Court (Amendment) Rules 1981.

(2) In these Rules, unless the context otherwise requires, an Order and Rule referred to by number means the Order and Rule so numbered in the County Court Rules 1936(a); a form referred to by number means the form so numbered in Appendix A to those Rules and Appendices B, C, D and E mean respectively Appendices B, C, D and E to those Rules.

Summary judgment

2. Order 10 shall be amended by inserting, after Rule 9, the following Rule:—

“Summary Judgment

9A.—(1) Without prejudice to Order 13, Rule 6, where in a default action the plaintiff’s claim is for a sum of not less than £500 and the defendant has delivered a document purporting to be a defence, the plaintiff may apply to the court for judgment against the defendant on the ground that, notwithstanding the delivery of that document, the defendant has no defence to the claim or to a particular part of the claim.

(2) An application under paragraph (1) shall be supported by an affidavit verifying the facts on which the claim or the part of it to which the application relates is based and stating that in the deponent’s belief, notwithstanding the document which has been delivered, there is no defence to the claim or that part.

(3) Notice of the application, together with a copy of the affidavit in support and of any exhibits referred to therein, shall be served on the defendant not less than 7 days before the day fixed for the hearing of the application.

(4) Where an application under paragraph (1) is made at a time when a day has been fixed for the pre-trial review of the action, the application shall,

(a) S.R. & O. 1936/626; the relevant amending instruments are: S.R. & O. 1936/1312, 1937/239, 1938/18, 731, 1475, 1939/815, 1942/1070, 1944/152; S.I. 1950/1231, 1993, 1951/1354, 1953/1728, 1954/1675, 1955/1799, 1956/1851, 1957/174, 1136, 1959/1251, 1960/1275, 1961/1526, 1964/353, 1965/2147, 1967/276, 1969/585, 1970/204, 673, 1201, 1871, 1971/781, 836, 2127, 2152, 1972/1156, 1593, 1973/345, 847, 1412, 1974/1138, 1354, 1975/285, 1345, 1976/314, 2137, 1977/604, 1206, 1978/794, 911, 1943, 1979/1045, 1488, 1980/1807.

if practicable, be heard on that day, and in any case, if on the hearing of the application the court orders that the defendant do have leave (whether conditional or unconditional) to defend the action with respect to the claim or part of the claim, the court may treat the hearing as a pre-trial review and Order 21 with the necessary modifications shall apply accordingly.

(5) The provisions of the Rules of the Supreme Court relating to showing cause against an application under Order 14 of those Rules and giving the plaintiff judgment or granting the defendant leave to defend on such an application shall apply with the necessary modifications in relation to an application under this Rule as they apply in relation to an application under the said Order 14.”.

Attachment of earnings

3. Order 25 shall be amended as follows:—

(1) Rule 80 shall be amended by adding, after paragraph (4), the following paragraph:—

“(5) The registrar shall fix a day for the hearing of the application.”.

(2) Rule 81(1) and Rule 81(3) shall be amended by substituting, for the words “a default summons”, the words “an ordinary summons”.

(3) Rule 81(4) shall be amended by substituting, for the words “14 days”, the words “8 days”.

(4) Rule 83 shall be amended by substituting, for paragraphs (2A) and (2B), the following paragraphs:—

“(2A) Where the registrar has information which is, in his opinion, sufficient to enable an attachment of earnings order to be made, he may give notice to the parties, not less than ten clear days before the return day, that he will ten days after the date of such notice make an order in the terms specified therein.

(2B) If either party objects to the order proposed, or to the terms specified in it, he shall give notice of his objection to the other party and to the court within five days of receipt of the proposed order and thereupon the case will be dealt with on the return day.”.

(5) Rule 83(3) shall be amended by substituting, for the words “the last foregoing paragraph”, the words “paragraph (2)”.

(6) Rule 83(4) shall be amended by substituting, for the sum of “£5”, wherever it appears, the sum of “£15”.

(7) Rule 94 shall be amended by omitting paragraph (4A).

4. Form 402 shall be amended as follows:—

(1) For the words “Plaint No.” and “Attachment Application No.” there shall be substituted the words “Case No.” and “Application No.”.

(2) After the paragraph ending “satisfy the judgment” there shall be inserted the following paragraph:—

“*[Delete in the case of maintenance payments or where otherwise inappropriate:]* I request the Court to proceed with the application in my absence.”.

Summary proceedings for the recovery of land

6. Order 26, Rule 3(2) shall be amended by inserting, after the words “a copy of the affidavit” in sub-paragraphs (a) and (b), the words “together with a notice in Form 26”.

Limitation Act 1980(a)

7. In Order 15, Rule 1 the words from “, and the proceedings” to “has been made” shall be omitted.

8. Order 15, Rule 2 shall be amended by omitting the words “, and the proceedings as against him shall be deemed to have begun on the date of the amendment”.

9. Order 15, Rule 11 shall be amended by omitting the words “, and the proceedings shall continue as if he had originally been made defendant”.

Consequential amendments

10. In each of the following Rules and forms, for the figure “£2,000”, wherever it appears, there shall be substituted the figure “£5,000”:

- Order 7, Rules 1(2) and 2;
- Order 15, Rule 8;
- Order 27, Rules 2 and 3;
- Order 28, Rule 16(3)(d);
- Form 205 (paragraph 4); and
- Form 222 (paragraph 1).

11. In Order 23, Rules 1(1)(a), 4(2) and 5 for the figure “£200”, wherever it appears, there shall be substituted the figure “£500”.

Costs

12. Order 20, Rule 8(5) shall be amended by substituting, for the figure “£4”, the words “£6.00 for a police officer or £8.50 for any other person”.

13. Order 25, Rule 24(2) shall be amended by substituting, for the figure “£20”, the figure “£25”.

14. Order 47 shall be amended as follows:—

(1) In Rule 2(3) for the words “scale 3 or 4” in sub-paragraph (b) there shall be substituted the reference “scale 3”.

(2) In Rule 5(1) for the word “four” there shall be substituted the word “three” and for the words from “Scale 2” to the end there shall be substituted the words “Scale 2 and Scale 3”.

(3) For Rule 5(3) there shall be substituted the following paragraph:—

“(3) In relation to a sum of money only, the scales shall apply as follows:—

Sum of money	Scale applicable
Exceeding £25 but not exceeding £100	Lower scale
Exceeding £100 but not exceeding £500	Scale 1
Exceeding £500 but not exceeding £3,000	Scale 2
Exceeding £3,000	Scale 3

(4) In Rule 5(4) for the reference to “£5” there shall be substituted a reference to “£25”.

(5) In Rule 21(3) for the list of items there shall be substituted the following list:—

“items 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12 and 13.”.

(6) In Rule 21(5) for the words “Scale 2, 3 or 4” there shall be substituted the words “one of the Higher Scales”.

(7) In Rule 29(2) for the words “Scale 2, 3 or 4” there shall be substituted the words “Scale 2 or 3”.

(8) In Rule 30(2) for the figures “£10” and “£20” there shall be substituted the figures “£17” and “£34” respectively.

(9) In Rule 30(4) for the figure “£10” there shall be substituted the figure “£17”.

(10) In Rule 30(4A) for the words from “Scale 4” to the end there shall be substituted the words “Scale 3, paragraphs (2) and (4) of this Rule shall have effect as if for £17 and £34 wherever they appear, there were substituted £34 and £68 respectively.”.

(11) In Rule 30(5)(b) for the words “Scale 2, 3 or 4” there shall be substituted the words “Scale 2 or 3”.

15. The following Appendix shall be substituted for Appendix B:—

“APPENDIX B
Order 47, Rule 5(2)
HIGHER SCALES OF COSTS

Item No.	Scale 1 £	Scale 2 £	Scale 3 £
PART I	100-500	500-3,000	3,000+
PREPARATION OF DOCUMENTS			
The following items shall not apply to any action or matter to which Part II applies			
1.	<i>Institution of Proceedings:</i> Preparing, issuing, filing and service of particulars of claim or originating application, petition, or request for entry of appeal to a county court, or particulars of counterclaim, or third-party notice; preparing preliminary act or pleading in admiralty action.		FOR ALL SCALES 4-20
	<i>Note 1</i> Except where item 14 or Note 2 below applies, no profit charges for service of any process are to be allowed.		
	<i>Note 2</i> Where a solicitor properly makes use of a process server the process server’s charges are to be shown as a disbursement.		
2.	<i>Interlocutory proceedings:</i> Preparing, issuing, filing and service of any documents in connection with interlocutory proceedings, including any summons or application, or notice of application, or notice of interlocutory appeal		FOR ALL SCALES 4-18
	<i>Note 1</i> This item applies to an arbitration, inquiry or reference.		
	<i>Note 2</i> Interpleader and garnishee proceedings are to be treated as an application to which this item refers.		

<i>Item No.</i>	<i>Scale 1</i> £	<i>Scale 2</i> £	<i>Scale 3</i> £
	100-500	500-3,000	3,000+
3.	FOR ALL SCALES		
<i>Other documents:</i> Preparing (including where necessary filing, serving or delivering on all parties) any document not otherwise provided for, including:			
(a) any document to obtain an order for substituted service;			
(b) pleadings (other than pleadings instituting proceedings), defence or counterclaim thereto, particulars of pleadings, requests for such particulars, interrogatories, affidavits and lists of documents, notice to produce, admit or inspect documents, and amendments to any documents;			
(c) any other affidavit;			
(d) any brief to counsel or case to counsel to advise in writing or in conference;			
(e) any instructions to counsel to settle any document except where an allowance for the preparation of that document is recoverable under items 1, 2, or 3;			
for first 5 A4 pages			3.25 per page (or proportionately)
for each A4 page thereafter			2.25 per page (or proportionately)
<i>Note 1</i> Items 1, 2, and 3 include engrossing and 1 copy for service and are only to be allowed where the document is signed by the solicitor or his clerk duly authorised in that behalf. Any additional copies required are to be charged under Item 4. Item 3(d) and (e) include copy for counsel where counsel's fee is allowed. Preparation of proofs of evidence is to be charged under Item 6 and not this item.			
<i>Note 2</i> Item 3 is not to be allowed for preparing a praecipe or a notice of acceptance or non-acceptance of an admission and proposal as to time of payment.			
4. <i>Copy documents:</i>			
(a) Typed top copy			
A5 (quarto)			0.45 per page
A4 (foolscap)			0.75 per page
A3 (brief)			1.05 per page
(b) Photographic, printed and carbon copies			
A5 and A4			0.15 per page
A3			0.30 per page
<i>Note 1</i> "Copies for use of the Judge". Where the construction of documents is in issue the costs of copies supplied for the use of the Judge are to be allowed.			
<i>Note 2</i> Copy documents required to be exhibited to an affidavit are to be charged under Item 4 and the collating time is to be charged under Item 6(a)(ix).			

<i>Item No.</i>		<i>Scale 1</i> £	<i>Scale 2</i> £	<i>Scale 3</i> £
	PART II	100-500	500-3,000	3,000+
5.	BLOCK ALLOWANCE In any action for damages for personal injuries, or for the cost of repair to collision-damaged vehicles, and in any other action or matter as the party entitled to receive the costs may elect, a block allowance shall be made in place of the items prescribed in Part I unless, in any such case, the taxing officer otherwise directs; and the allowance shall be as shown.			
	<i>Note 1</i> No profit charges for service of any process are to be allowed except (a) where item 14 applies or (b) where a solicitor properly makes use of a process server, in which case, the process server's charges are to be shown as a disbursement.			
	<i>Note 2</i> In an action (other than one relating to personal injuries or collision-damage) where a party has elected to insert a block allowance, no application may be made on taxation for an allowance in excess of the permitted maximum.			
	<i>Note 3</i> If an action for damages for personal injuries or for collision-damage is of such unusual weight that the block allowance would be wholly inappropriate, an application should be made to the taxing officer for leave to deliver an extended bill. This application may generally be made ex parte and before the bill is drawn by letter setting out the grounds although the taxing officer may require the applicant to attend him before giving his decision. The lodging of a bill in extended form will in itself be accepted as an application for leave but there is no right of election in personal injury and collision-damage cases and, should leave be refused, no extra costs will on taxation be allowed for drawing the rejected bill. Leave will normally be granted only where it is clearly shown that there are unusual circumstances which would make the use of the block allowance wholly inappropriate or unfair.			
	<i>Note 4</i> In cases other than personal injury or collision-damage the lodging of a bill which includes a block allowance will generally be taken as a sufficient election. Since the taxing officer may of his own motion refuse to accept the election, with or without affording the elector the right to be heard, a preliminary application may, if so desired, be made to him ex parte by letter in cases of real doubt or difficulty.			

FOR ALL SCALES
8-50

<i>Item No.</i>		<i>Scale 1</i> £	<i>Scale 2</i> £	<i>Scale 3</i> £
	PART III	100-500	500-3,000	3,000+
6.	PREPARATION FOR TRIAL			
	Instructions for trial or hearing of action or matter, whatever the mode of trial or hearing, or for the hearing of any appeal.			
	<i>Note 1</i> This item applies to an arbitration, inquiry or reference, but may only be allowed once in the same proceedings.	such sum as is fair and reasonable not exceeding 275	such sum as is fair and reasonable not exceeding 700	Discretionary
	<i>Note 2</i> This item is intended to cover:			
	(a) the doing of any work not otherwise provided for and which was properly done in preparing for a trial, hearing or appeal, or before a settlement of the matters in dispute, including:			
	(i) <i>The Client</i> : taking instruction to sue, defend, counterclaim, appeal or oppose etc; attending upon and corresponding with client;			
	(ii) <i>Witnesses</i> : interviewing and corresponding with witnesses and potential witnesses, taking and preparing proofs of evidence and, where appropriate, arranging attendance at court, including issue of subpoena or witness summons;			
	(iii) <i>Expert evidence</i> : obtaining and considering reports or advice from experts and plans, photographs and models; where appropriate arranging their attendance at court, including issue of subpoena or witness summons;			
	(iv) <i>Inspections</i> : inspecting any property or place material to the proceedings;			
	(v) <i>Searches and inquiries</i> : making searches in the Public Record Office and elsewhere for relevant documents; searches in the Companies Registry and similar matters;			
	(vi) <i>Special damages</i> : obtaining details of special damages and making or obtaining any relevant calculations;			
	(vii) <i>Other parties</i> : attending upon and corresponding with other parties or their solicitors;			
	(viii) <i>Discovery</i> : perusing, considering or collating documents for affidavit or list of documents; attending to inspect or produce for inspection any documents required to be produced or inspected by order of the court or otherwise;			
	(ix) <i>Documents</i> : consideration of pleadings, affidavits, cases and instructions to and advice from counsel, any law involved and any other relevant documents, including collating;			

	Scale 1	Scale 2	Scale 3
	£	£	£
(x) <i>Negotiations</i> : work done in connection with negotiations with a view to settlement;	100-500	500-3,000	3,000+
(xi) <i>Agency</i> : correspondence with and attendance upon or other work done by London or other agents;			
(xii) <i>Notices</i> : preparation and service of miscellaneous notices, including notices to witnesses to attend court;			
(b) the general care and conduct of the proceedings.			

The sums sought under each sub-paragraph (i) to (xii) of paragraph (a) should be shown separately against each item followed by the total of all items under paragraph (a); the sum charged under paragraph (b) should be shown separately; and the total of the items under (a) and (b) should then follow.

Note 3 This item should be prefaced by a brief narrative indicating the issues, the status of the fee earners concerned and the expense rates claimed. The narrative should be followed by a statement in two parts:

- (i) setting out the breakdown of the work done in relation to the relevant sub-paragraph of item 6(a); and
- (ii) a statement in relation to care and conduct under item 6(b) referring to the relevant factors relied upon; the sum claimed for care and conduct should be expressed as a separate monetary amount as well as a percentage of the work figure.

Note 4 Telephone calls will be allowed as a time charge if, but only if, they stand in the place of an attendance whereby material progress has been made and the time has been recorded or can otherwise be established. A notional conversion into a time charge of letters and routine telephone calls will not be accepted.

Note 5 Brief not delivered. Where an action is settled before delivery of the brief, the costs of all work reasonably and properly (but not prematurely) done are allowable, and the taxing officer, having regard to the circumstances of each case, must decide whether the work was reasonable and proper and that the time for doing it had arrived.

Note to Parts III, IV and VI; Where in the opinion of the taxing officer, it would have been reasonable to employ a solicitor carrying on business nearer to any relevant place, he shall not allow under Parts III, IV and VI more than he would have allowed to such a solicitor.

<i>Item No.</i>		<i>Scale 1</i> £	<i>Scale 2</i> £	<i>Scale 3</i> £
	PART IV	100-500	500-3,000	3,000+
	ATTENDANCES			
7.	<i>Lodging:</i> To lodge papers, when proceedings transferred to county court, including preparation of all necessary documents.	5	5	8
8.	<i>Counsel:</i> Attending counsel in conference including attending to appoint the conference: for each half hour or part thereof	FOR ALL SCALES 8		
9.	<i>Interlocutory attendances etc:</i> Attending at court, or in chambers, on an interlocutory or any other application to judge or registrar in the course of or relating to the proceedings including time travelling thereto:			
	(a) without counsel	not exceeding 20	not exceeding 55	not exceeding 70
	(b) with counsel	4-10	4-15	4-20
	<i>Note 1</i> This item applies to hearings of judgment summons under Order 25 Rule 66(2) and under Order 25 Rule 66(1) if costs allowed, and to hear further consideration under Order 29 Rules 18 and 19.			
	<i>Note 2</i> This item applies to an arbitration, inquiry or reference.			
	<i>Note 3</i> Interpleader and garnishee proceedings are to be treated as an application to which this item refers.			
10.	<i>Examination:</i> On examination of witness under Order 14 Rule 1(10) or Order 25 Rule 2, for each half-hour or part thereof <i>Note.</i> This item is allowable where any responsible representative of the solicitor attends.	FOR ALL SCALES 2-7		
11.	<i>Trial or hearing:</i> Attending the trial, or hearing of an appeal from an interlocutory or final order or judgment, or to hear a deferred judgment, or where trial is adjourned for want of time or on payment of costs of the day, including time travelling thereto:			
	(a) without counsel } per day or	not exceeding 35	not exceeding 80	not exceeding 120
	(b) with counsel } part of a day	5-11	5-40	5-60
	<i>Note 1</i> An attendance on the examination of a witness under Order 20 Rule 18(1) is to be treated as an			

<i>Item No.</i>	<i>Scale 1 £</i>	<i>Scale 2 £</i>	<i>Scale 3 £</i>
	100-500	500-3,000	3,000+
attendance to which this item relates.			
<i>Note 2</i> This item applies to an arbitration, inquiry or reference. If the reference or inquiry was directed at the trial and began on the same day, this item is only to be allowed once in respect of that day.			
<i>Note to Part IV:</i> Attendances in court or at chambers or on counsel in conference should appear with a note of the time engaged.			

PART V

COUNSEL'S FEES

12.	(a) With brief on trial or on hearing.	20-70	25-160	Discretionary
	(b) For each day or part of a day on which trial or hearing is continued after the first day or is adjourned for want of time, or on payment of costs of the day or on examination of witness under Order 20 Rule 18(1) for each day or part of a day	10-35	12-80	Discretionary
	(c) With brief on further consideration pursuant to Order 29, Rules 18 and 19, or to hear a deferred judgment; with brief on application in the course of or relating to proceedings; with brief on examination of witness under Order 14, Rule 1(10), or Order 25, Rule 2; with brief on hearing of judgment summons.	8-30	10-40	10-55
	(d) Where there is no local Bar in the court town or within 25 miles thereof, if in the opinion of the registrar the maximum fee allowable with the brief is insufficient, a further fee may be allowed, not exceeding for each day on which the trial or hearing take place			

FOR ALL SCALES
15

Note 1 For the purpose of this sub-item there shall be deemed to be a local Bar only in such places as may from time to time be specified in a certificate of the General Council of the Bar published in their Annual Statement.

Note 2 This sub-item is not allowed in any court within 25 miles of Charing Cross.

<i>Item No.</i>	<i>Scale 1 £ 100-500</i>	<i>Scale 2 £ 500-3,000</i>	<i>Scale 3 £ 3,000+</i>
(e) On conference in chambers or elsewhere: for each half hour or part thereof;			
and for leading counsel: for each half hour or part thereof	5 6	8 12	10 20
(f) For settling any document including statement of claim, defence, interrogatories and answers.	4-8	9-20	10-28
(g) For advising in writing including advising on liability and quantum.	4-8	9-25	10-37
<i>Note 3</i> Fees to counsel are not to be allowed unless the payment of them is vouched by the signature of counsel of the head of chambers.			
<i>Note 4</i> This item applies to an arbitration, inquiry or reference, but a fee reflecting preparation for trial is only to be allowed once in the same proceedings. If the reference or inquiry was directed at the trial and the reference or inquiry began on the same day, a fee for attending court or attending in chambers is only to be allowed once in respect of that day.			
PART VI TAXATION OF COSTS			
13. (a) <i>Taxation:</i> Preparing bill of costs and copies and attending to lodge; attending taxation; vouching and completing bill; paying taxing fee and lodging for certificate or Order.	6-16	6-40	6-50
(b) <i>Review:</i> Preparing and delivering objections to decision of taxing officer on taxation, or answers to objections, including copies for service and lodging, considering opponent's answers or objections, as the case may be, attending hearing of review.	6-6	6-15	6-20
<i>Note:</i> This item includes travelling time.			
PART VII			
14. SERVICE OUT OF THE JURISDICTION Service of process out of England and Wales, to include drawing, copying, attending to swear and file all affidavits and to obtain order and the fees paid for oaths, such sum as the registrar thinks reasonable.”			

16. Appendix C shall be amended by substituting, for the figures "4.00" and "7.00" in line (a), the figures "6.00" and "12.00" respectively and, for the figures "4.00" and "10.00" in line (b), the figures "8.50" and "17.00" respectively.

17. Appendix D shall be amended as follows:—

(1) in paragraph 3(b) in Part I for the figures "£100" and "£1,000" there shall be substituted the figures "£600" and "£2,000" respectively.

(2) the following Tables shall be substituted for the Tables of Fixed Costs in Part I:—

"TABLES OF FIXED COSTS

TABLE I

Where claim exceeds £25 but does not exceed £250

	<i>Amount of charges</i>
	£
(a) Where service is not by solicitor	15.00
(b) Where service is by solicitor	16.00

TABLE II

Where claim exceeds £250 but does not exceed £600

	<i>Amount of charges</i>
	£
(a) Where service is not by solicitor	20.00
(b) Where service is by solicitor	23.00

TABLE III

Where claim exceeds £600 but does not exceed £2,000

	<i>Amount of charges</i>
	£
(a) Where service is not by solicitor	33.00
(b) Where service is by solicitor	36.00

TABLE IV

Where claim exceeds £2,000

	<i>Amount of charges</i>
	£
(a) Where service is not by solicitor	36.00
(b) Where service is by solicitor	39.00".

(3) for the Table in Part II there shall be substituted the following:—

“
TABLE
Fixed Costs on Judgments

Column 1	Column 2		
	Sum of money		
	A <i>Exceeding £25 but not exceeding £600</i>	B <i>Exceeding £600 but not exceeding £3,000</i>	C <i>Exceeding £3,000</i>
	£	£	£
(a) Where judgment is entered in a default action in default of defence	6·00	10·00	11·00
(b) Where judgment is entered on the defendant's admission and the plaintiff's acceptance of his proposal as to mode of payment	9·00	20·00	22·00
(c) Where judgment is entered on an admission delivered by the defendant and the court's decision is given as to the date of payment or instalments by which payment is to be made	13·00	25·00	30·00
(d) Where judgment is given in an ordinary action for—			
(i) recovery of a liquidated sum of money; or			
(ii) delivery of goods; or			
(iii) possession of land suspended on payment of arrears of rent, whether claimed or not, in addition to current rent, and the defendant has neither delivered a defence, admission or counterclaim, nor otherwise denied liability	18·00	28·00	34·00
(e) Where summary judgment is given under Order 10, Rule 9A, after the defendant has delivered a defence	33·00	43·00	49·00

(4) for Part III there shall be substituted the following:—

“PART III

JUDGMENT SUMMONSES AND APPLICATIONS

The following Table shows the amount to be allowed where costs awarded fall to be fixed and allowed without taxation under Order 25, Rule 24(2) or 66(2)(b), or Order 47, Rule 37(4).

	<i>Amount to be allowed</i>
1. For each attendance on the hearing of a judgment summons	£4·00
2. For making or opposing an application in the course of or relating to the proceedings	£6·00
3. For making or opposing an application for a new trial or to set aside a judgment	£6·00
4. For attending at the court office to issue a warrant of execution for a sum exceeding £25	£1·00
5. For service of any document required to be served personally, other than a judgment summons unless allowed under Order 25, Rule 66(2), including copy and preparation of certificate of service .	£4·00
6. For substituted service, including attendances, making appointments to serve summons, preparing and attending to swear and file affidavits and to obtain order, and the fees paid for oaths	£12·00 ”.

18. Appendix E shall be amended by substituting, for the existing Table, the following Table:—

<i>Column 1</i> Scale	<i>Column 2</i> Amount of Charges
Lower Scale where the claim exceeds £25 but does not exceed £100	£28 to £40
Scale 1 where the claim exceeds £100 but does not exceed £500	£33 to £80
Scale 2 where the claim exceeds £500 but does not exceed £3,000	£48 to £290
Scale 3 where the claim exceeds £3,000	£70 to £350

19.—(1) Nothing in these Rules shall, unless expressly so provided, apply to anything done before they come into operation.

(2) Where costs fall to be fixed or assessed under Appendix D or E by virtue of a judgment or order given, entered or made after the date of the coming into operation of the two preceding Rules, they may be fixed, or assessed, as the case may be, as if all the work to which they relate had been done after that date.

(3) Any bill lodged after the date on which these Rules come into operation shall conform with the provisions of these Rules notwithstanding that it relates wholly or partly to work done before that date.

Provided that during the period of two months after such date a bill may be prepared and lodged in the form required prior to such date.

We, the undersigned members of the Rule Committee appointed by the Lord Chancellor under section 102 of the County Courts Act 1959(a), having by virtue of the powers vested in us in this behalf made the foregoing Rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

Henry Ruttle.

David Peck.

J. B. Taylor.

M. Birks.

Andrew Smith.

E. J. D. Evans.

A. C. Goodall.

S. S. Gill.

M. A. W. Grundy.

Fielding Hatton.

Norman Cooper.

I allow these Rules, which shall come into operation on 1st October 1981.

Dated 3rd August 1981.

Hailsham of St. Marylebone, C.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the County Court Rules so as—

- (a) to provide a procedure for obtaining summary judgment (Rule 2);
- (b) to revise the procedure for enforcement by means of attachment of earnings (Rules 3, 4 and 5);
- (c) to provide for notice of the hearing date to be given where service is effected upon the premises in summary proceedings for the recovery of land (Rule 6);
- (d) to remove minor references in the Rules which are inconsistent with the terms of section 35 of the Limitation Act 1980 (Rules 7, 8 and 9);
- (e) to effect amendments which are consequential on the increase in county court jurisdiction (Rules 10 and 11);
- (f) to amend the provisions as to costs (Rules 12 to 19).

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