

1990 No. 516 (L.5)

COUNTY COURTS

PROCEDURE

The County Court (Amendment) Rules 1990

Made - - - -

5th March 1990

Coming into force

1st April 1990

Citation and interpretation

1.—(1) These Rules may be cited as the County Court (Amendment) Rules 1990.

(2) In these Rules, unless the context otherwise requires, an Order referred to by number means the Order so numbered in the County Court Rules 1981(a) and Appendix A, B or C means Appendix A, B or C to those Rules.

The community charge

2. In relation to domestic property within the meaning of section 66 of the Local Government Finance Act 1988(b), references in Order 6, rule 3(1)(b) to the net annual value for rating or to the net value for rating shall be construed as references to the value shown on the valuation list in force on 31st March 1990 or to its value by the year, as the case may be.

Costs

3. Order 38, rule 13(2) shall be amended by substituting, for the figures “£17.00” and “£24.00”, the figures “£18.50” and “£26.00” respectively.

4. Order 38, rule 14(1) shall be amended by substituting, for the figures “£24.00”, “£48.00” and “£95.00” wherever they appear in the Table, the figures “£26.00”, “£51.50” and “£102.00” respectively.

5. Appendix A shall be amended by substituting, for the entries in the last 3 columns corresponding to the numbered items, the following –

<i>Item No.</i>	<i>Scale 1</i> £	<i>Scale 2</i> £	<i>Scale 3</i> £
	<i>100 500</i>	<i>500–3,000</i>	<i>3,000+</i>
1.		FOR ALL SCALES 7.00 – 28.50	
2.		FOR ALL SCALES 7.00 – 27.40	

(a) S.I. 1981/1687; the relevant amending instruments are S.I. 1982/1794, 1984/576, 1985/1269, 1986/636, 1189, 1987/493, 1397, 1988/897 and 1989/381.

(b) 1988 c.41.

3.		FOR ALL SCALES 4.95 per page (or proportionately) 3.30 per page (or proportionately)	
4(a)		FOR ALL SCALES 0.60 per page 1.00 per page 1.35 per page	
(b)		FOR ALL SCALES 0.20 per page 0.40 per page	
5.		FOR ALL SCALES 11.80 75.00	
6.	such sum as is fair and reasonable not exceeding £420	such sum as is fair and reasonable not exceeding £1070	Discretionary
7.	7.00	7.00	11.80
8.		FOR ALL SCALES 11.80	
9.	not exceeding	not exceeding	not exceeding
(a)	31.00	86.00	106.00
(b)	7.00 15.00	7.00 22.50	7.00 29.50
10.		FOR ALL SCALES 3.75 11.25	
11.	not exceeding	not exceeding	not exceeding
(a)	52.50	127.00	183.00
(b)	7.00 - 17.00	7.00 - 63.00	7.00 91.00
12(a)	30 - 107	37 247	Discretionary
(b)	15 - 55	18.50 - 124	Discretionary
(c)	11.50 - 44	14 - 61	16 85
(d)		FOR ALL SCALES 21.50	
(e)	On conference in chambers or elsewhere: for each half hour or part thereof		
	6.95	11.50	16.00
and for leading counsel	8.00	19.00	30.00
(f)	6.95 - 11.75	11.75 31.00	14.00 44.50
(g)	4.25 - 13.00	13.00 37.00	15.00 75.50
(h)	8.00 - 21.50	21.50 - 61.00	25.00 - 124.50
13(a)	8.20 - 22.00	8.20 - 61.25	8.20 78.50
(b)	8.20	8.20 - 22.00	8.20 31.75"

6. Appendix B, Part I, paragraph 4 shall be amended by substituting, for the Tables of Fixed Costs, the following Tables -

"TABLES OF FIXED COSTS

TABLE I

Where claim exceeds £25 but does not exceed £250

	Amount of charges £
(a) Where service is not by solicitor	22.50
(b) Where service is by solicitor	25.25

TABLE II

Where claim exceeds £250 but does not exceed £600

	Amount of charges £
(a) Where service is not by solicitor	30.00
(b) Where service is by solicitor	35.50

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

	Amount of charges £
(a) Where service is not by solicitor	50.50
(b) Where service is by solicitor	56.00

TABLE IV
Where claim exceeds £2,000

	Amount of charges £
(a) Where service is not by solicitor	55.00
(b) Where service is by solicitor	60.00

7. Appendix B, Part II shall be amended by substituting, for the entries in column 2, corresponding to the lettered paragraphs in column 1, the following –

“ (a)	8.00	15.00	16.50
(b)	14.00	29.50	34.50
(c)	19.00	37.50	44.50
(d)	28.00	41.75	52.00
(e)		65.00	74.00.”

8. Appendix B, Part III shall be amended by substituting, for paragraphs (a) and (b) of item 7 and for the amounts to be allowed corresponding to the numbered items, the following –

“	<i>Amount to be allowed</i>
1.	9.00
2.	9.00
3.	1.60
4.	6.00
5.	18.25
6.	6.00
7(a) where the money recovered is less than £65.00	one half of the amount recovered
(b) where the money recovered is not less than £65.00	34.00
8.	52.00
9.	5.75”.

9. Appendix C, paragraph 2 shall be amended by substituting, for the Table, the following –

<i>Column 1 Scale</i>	<i>Column 2 Amount of charges</i>
Lower Scale	42.00 – 65.00
Scale 1	46.50 – 118.00
Scale 2	73.00 – 443.00
Scale 3	106.00 – 534.00”.

We, the undersigned members of the Rule Committee appointed by the Lord Chancellor under section 75 of the County Courts Act 1984(a), having by virtue of the powers vested in us in that behalf made the foregoing Rules, do hereby certify the same under our hands and submit them to the Lord Chancellor accordingly.

*C. S. Stuart-White, Eifion Roberts,
A. N. Fricker, R. E. Hammerton,
R. Greenslade, K. H. P. Wilkinson,
Patrick Eccles, R. C. Newport,
Gillian Stuart-Brown.*

I allow these Rules, which shall come into force on 1st April 1990.

Dated 5th March 1990

Mackay of Clashfern.C.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the County Court Rules 1981 so as

- (a) to provide for the modification of provisions relating to the rateable value of domestic property as a result of the introduction of the community charge (*Rule 2*); and
- (b) to revise the provisions relating to costs (*Rules 3 to 9*).

(a) 1984 c.28.

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