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STATUTORY INSTRUMENTS

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**1995 No. 2897 (L.17)**

**SUPREME COURT OF ENGLAND AND WALES**

**The Rules of the Supreme Court (Amendment No.2) 1995**

*Made* - - - - - *9th November 1995*  
*Laid before Parliament* *10th November 1995*  
*Coming into force* - - - *1st December 1995*

We, the Supreme Court Rule Committee, having power under section 85 of the Supreme Court Act 1981(1) to make rules of court under section 84 of that Act for the purpose of regulating and prescribing the practice and procedure to be followed in the Supreme Court, hereby exercise those powers as follows—

**Citation, commencement and interpretation**

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Amendment No. 2) 1995 and shall come into force on 1st December 1995.

(2) In these Rules, an Order referred to by number means the Order so numbered in the Rules of the Supreme Court 1965(2).

**Costs**

2. Order 62, rule 18(3) shall be amended by substituting, for the sum “£8.25”, the sum “£9.25”.

3. Appendix 3 to Order 62 shall be amended as follows—

(1) For Table A (Basic Costs) in Part I there shall be substituted the following Table—

**“A. Basic Costs**

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Amount to be allowed in cases under following sub-paragraphs of paragraph 1 of this Appendix		
(a)	(b)	(c)
£p	£p	£p
If the amount recovered is—		

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(1) 1981 c. 54; section 85 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 36(1).

(2) S.I.1965/1776; the relevant amending instruments are S.I. 1975/911, 1979/522, 1980/1010, 1982/1111, 1985/69, 1987/1423, 1989/386, 1990/492, 1689, 1991/531, 1992/638, 1994/1975 and 1995/2206.

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	Amount to be allowed in cases under following sub-paragraphs of paragraph 1 of this Appendix		
	(a) £p	(b) £p	(c) £p
not less than £600 but less than £2,000—			
(i) where the writ was served by post	61.25	80.75	142.00
(ii) where the writ was served on the defendant personally	69.00	87.00	149.00
not less than £2,000 but less than £3,000—			
(i) where the writ was served by post	69.00	89.25	149.00
(ii) where the writ was served on the defendant personally	75.75	94.50	156.00
not less than £3,000	89.25	129.00	184.00”.

(2) Table B (Additional costs) in Part I shall be amended by substituting, for the figures shown in columns (i) and (ii), corresponding to the numbered items, the following figures—

	“(i)”	(ii)
(1)	9.50	12.25
(2)	22.25	47.75
(3)(a)	34.50	61.25
(b)	40.50	69.00
(4)	16.25	18.25
(5)	16.25	18.25
(6)	12.25	22.25”.

(3) Part III, paragraph 1 shall be amended by substituting, for the sum of “£7.75”, the sum of “£8.50”.

(4) Part III, paragraph 2 shall be amended by substituting, for the sum of “£31.50”, the sum of “£35.00”.

(5) After paragraph 2 of Part III there shall be inserted the following new paragraph—

“2A. Where costs are allowed under the following paragraphs of this Part, the appropriate court fees shall be allowed in addition.”.

(6) Part III, paragraph 3 shall be amended as follows—

- (a) for the sum of “£18.75” in sub-paragraph (a) there shall be substituted the sum of “£20.75”;
- (b) for the table “Basic Costs” in sub-paragraph (b) there shall be substituted the following table—

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(i) “Basic Costs	
If the amount recovered by the applicant from the garnishee is—	
less than £150.00 ... ..	one half of the amount recovered
not less than £150.00 ... ..	£88.50”;

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(c) for the sum of “£14.50” in the table “Additional costs” in sub-paragraph (b) there shall be substituted the sum of “£16.25”.

(7) Part III, paragraph 4 shall be amended by substituting, for the sums of “£89.00” and “£14.50”, the sums of “£99.00” and “£16.25”.

(8) Part III, paragraph 5 shall be amended by substituting, for the sums of “£34.25” and “£2.25”, the sums of “£38.00” and “£2.50”.

(9) Part III, paragraph 6 shall be amended by substituting, for the sum of “£41.75”, the sum of “£46.50”.

**Miscellaneous amendments**

4. Order 91, rule 5A(6) shall be amended by substituting, for “section 6A(2)(c)”, “section 56A(2)(c)”.

5. Order 93, rule 10(2) shall be amended, by inserting after sub-paragraph (n), the following—

“(o) section 151 of the Pension Schemes Act 1993(3).”.

6. Order 93, rule 10(3) shall be amended by substituting, for the words “paragraph (2)(c), (e) or (f)”, the words “paragraph (2)(c), (f) or (o)”.

*Mackay of Clashfern, C.  
Bingham, M.R.,  
Stephen Brown, P.,  
Richard Scott, V-C.,  
Rattee, J.,  
Bell, J.*

Dated 9th November 1995

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Rules of the Supreme Court so as—

- (a) to increase the costs allowed to a litigant in person and the fixed costs recoverable under Appendix 3 to Order 62 (*rules 2 and 3*);
- (b) to correct an error in the Rules of the Supreme Court (Amendment) 1995 ([S.I.1995/2206](#)) (*rule 4*), and
- (c) to assign appeals on a point of law from the Pensions Ombudsman to the Chancery Division and to impose a leave requirement on any appeal from that Division (*rules 5 and 6*).