
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 44

GENERAL RULES ABOUT COSTS

Limitation on amount court may allow where a claim allocated to the fast track settles before trial

44.10.—(1) Where the court—

- (a) assesses costs in relation to a claim which—
 - (i) has been allocated to the fast track; and
 - (ii) settles before the start of the trial; and
- (b) is considering the amount of costs to be allowed in respect of a party's advocate for preparing for the trial,

it may not allow, in respect of those advocate's costs, an amount that exceeds the amount of fast track trial costs which would have been payable in relation to the claim had the trial taken place.

(2) When deciding the amount to be allowed in respect of the advocate's costs, the court shall have regard to—

- (a) when the claim was settled; and
- (b) when the court was notified that the claim had settled.

(3) In this rule, "advocate" and "fast track trial costs" have the meanings given to them by Part 46.

(Part 46 sets out the amount of fast track trial costs which may be awarded)