

## SCHEDULE

### Consequential amendments to secondary legislation

## PART 1

### **Amendment of the Civil Procedure Rules 1998**

2. In the Civil Procedure Rules 1998(1)—
- (a) in paragraph (1) of rule 46.9 (basis of detailed assessment of solicitor and client costs), after “the Access to Justice Act 1999” insert “or by the Lord Chancellor under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012”;
  - (b) after paragraph (4) of rule 47.8 (sanction for delay in commencing detailed assessment proceedings) insert—
    - “(5) Where the costs to be assessed in a detailed assessment are payable by the Lord Chancellor under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, this rule applies as if the receiving party were the solicitor to whom the costs are payable and the paying party were the Lord Chancellor.”;
  - (c) in the heading to Section VI of Part 47 (detailed assessment procedure for costs of a LSC funded client or an assisted person where costs are payable out of the Community Legal Service Fund)—
    - (i) for “or an Assisted Person” substitute “, an Assisted Person or Person to Whom Legal Aid is Made Available”; and
    - (ii) after “Community Legal Service Fund” insert “or by the Lord Chancellor under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012”;
  - (d) in the heading to rule 47.18 (detailed assessment procedure where costs are payable out of the Community Legal Services Fund) after “Community Legal Services Fund” insert “or by the Lord Chancellor under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012”;
  - (e) in paragraph (1) of rule 47.18—
    - (i) for “or an assisted person” substitute “, an assisted person or a person to whom legal aid is provided”; and
    - (ii) after “Community Legal Services Fund” insert “or by the Lord Chancellor under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012”; and
  - (f) in paragraph (3) of rule 47.18 for “or the assisted person” substitute “, the assisted person or the person to whom legal aid is provided”.