
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 26

CASE MANAGEMENT – PRELIMINARY STAGE

[^{F1}Referral to the Mediation Service

26.6.—(1) This rule applies to claims started in the County Court which would normally be allocated to the small claims track pursuant to rule 26.9.

(2) This rule does not apply to—

- (a) road traffic accident, personal injury or housing disrepair claims; or
- (b) any claim in which any party to the proceedings does not agree to referral to the Mediation Service.

(3) In this rule, ‘the Mediation Service’ means the Small Claims Mediation Service operated by His Majesty’s Courts and Tribunals Service.

(4) Where all parties indicate on their directions questionnaire that they agree to mediation, the claim shall be referred to the Mediation Service.

(5) If a claim to which this rule applies is settled, the proceedings shall automatically be stayed with permission to apply for—

- (a) judgment for the unpaid balance of the outstanding sum of the settlement agreement; or
- (b) the claim to be restored for hearing of the full amount claimed,

unless the parties have agreed that the claim is to be discontinued or dismissed.]

Textual Amendments

F1 Pt. 26 substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), rule 1(1), [Sch. 1](#) (with [rule 2](#))

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 26.6.