
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 45

FIXED COSTS

SECTION 1

General Provisions

[^{F1}Defendants' costs

45.6.—(1) Where, in any case to which Section VI, Section VII or Section VIII of this Part applies, the court makes an order for costs in favour of the defendant, the allowable costs are—

- (a) the fixed costs set out in Section VI, Section VII or Section VIII;
- (b) the applicable disbursements set out in Section IX of this Part.

(2) For the purpose of assessing the costs payable to a defendant by reference to the fixed costs in Table 12 and Table 14—

- (a) “value of the claim for damages” and “damages” shall be treated as references to the value of the claim, as defined in paragraph (3); and
- (b) if the claim is discontinued, a reference in Table 12 or Table 14 to the stage at which a case is settled shall be treated as a reference to the stage at which the case is discontinued.

(3) For the purposes of paragraph (2)(a), ‘the value of the claim’ is—

- (a) the amount specified in the claim form, without taking into account any deduction for contributory negligence, but excluding—
 - (i) any amount not in dispute;
 - (ii) interest; or
 - (iii) costs;
- (b) if no amount is specified in the claim form, the maximum amount which the claimant reasonably expected to recover according to the statement of value included in the claim form under rule 16.3;
- (c) if the claim form states that the claimant cannot reasonably say how much is likely to be recovered—
 - (i) £25,000 in a claim to which Section VI applies; or
 - (ii) £100,000 in a claim to which Section VII applies;
- (d) if the claim has no monetary value—
 - (i) the applicable amount in rule 45.45(1)(a)(ii) in a claim to which Section VI applies;
or

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 45.6. (See end of Document for details)

- (ii) the applicable amount in rule 45.50(2)(b)(ii) in a claim to which Section VII applies;
or
- (e) if a claim includes both a claim for monetary relief and a claim which has no monetary value, the applicable amount in sub-paragraph (d) taken together with the applicable monetary value in sub-paragraph (a), (b) or (c).]

Textual Amendments

- F1** Pt. 45 substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), rule 1(1), [Sch. 3](#) (with rule 2)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 45.6.