
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 46

COSTS –SPECIAL CASES

SECTION II

Costs relating to Legal Representatives

[^{F1}Personal liability of legal representative for costs – wasted costs orders

46.8.—(1) This rule applies where the court is considering whether to make an order under section 51(6) of the Senior Courts Act 1981 (court’s power to disallow or (as the case may be) order a legal representative to meet, “wasted costs”).

(2) The court will give the legal representative a reasonable opportunity to make written submissions or, if the legal representative prefers, to attend a hearing before it makes such an order.

(3) When the court makes a wasted costs order, it will—

- (a) specify the amount to be disallowed or paid; or
- (b) direct a costs judge or a [^{F2}District Judge] to decide the amount of costs to be disallowed or paid.

(4) The court may direct that notice must be given to the legal representative’s client, in such manner as the court may direct—

- (a) of any proceedings under this rule; or
- (b) of any order made under it against his legal representative.]

Textual Amendments

F1 Pts. 44-48 substituted (1.4.2013) by [The Civil Procedure \(Amendment\) Rules 2013 \(S.I. 2013/262\)](#), rules 2, 16, [Sch.](#) (with rule 22)

F2 Words in Rules substituted (22.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(1), [4\(a\)\(iv\)](#); S.I. 2014/954, art. 2(a)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 46.8.