
STATUTORY INSTRUMENTS

2015 No. 548

The Court of Protection (Amendment) Rules 2015

Amendments to the Court of Protection Rules 2007

50. In rule 155—

(a) for paragraph (1), substitute—

“(1) In this Part—

“authorised court officer” means any officer of the Senior Courts Costs Office whom the Lord Chancellor has authorised to assess costs;

“costs” include fees, charges, disbursements, expenses, remuneration and any reimbursement allowed to a litigant in person;

“costs judge” means a taxing Master of the Senior Courts;

“costs officer” means a costs judge or an authorised court officer;

“detailed assessment” means the procedure by which the amount of costs or remuneration is decided by a costs officer in accordance with Part 47 of the Civil Procedure Rules 1998 (which are applied to proceedings under these Rules, with modifications, by rule 160);

“fixed costs” are to be construed in accordance with the relevant practice direction;

“fund” includes any estate or property held for the benefit of any person or class of persons, and any fund to which a trustee or personal representative is entitled in that capacity;

“paying party” means a party liable to pay costs;

“pro bono representation” means representation provided free of charge;

“receiving party” means a party entitled to be paid costs;

“summary assessment” means the procedure by which the court, when making an order about costs, orders payment of a sum of money instead of fixed costs or detailed assessment.”;

(b) in paragraph (2), in sub-paragraph (a), for “his solicitor” substitute “their legal representative”; and

(c) in paragraph (4), for “is to an agreement which satisfies all the conditions applicable to it by virtue of” substitute “means an agreement enforceable under”.