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STATUTORY INSTRUMENTS

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**2020 No. 1228 (L. 21)**

**SENIOR COURTS OF ENGLAND AND WALES  
COUNTY COURT, ENGLAND AND WALES**

**The Civil Procedure (Amendment No. 6) Rules 2020**

*Made - - - - 3rd November 2020  
Laid before Parliament 6th November 2020  
Coming into force in accordance with rule 1*

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(1) to make rules under section 1 of and Schedule 1 to that Act and after fulfilling the requirements of section 2(6) of that Act, makes the following Rules.

**Citation, commencement and interpretation**

1.—(1) These Rules may be cited as the Civil Procedure (Amendment No. 6) Rules 2020 and come into force on the 21st day after the day on which they are laid before Parliament.

(2) In these Rules, a reference to a Part or rule by number alone means the Part or rule so numbered in the Civil Procedure Rules 1998(2).

**Amendments to the Civil Procedure Rules 1998**

2. The Civil Procedure Rules 1998 are amended in accordance with rules 3 and 4 of these Rules.

**Amendment of Part 81**

3. In rule 81.3—

(a) in paragraph (2), at the end insert “, unless under a rule or practice direction it may be determined by a District Judge”; and

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(1) [1997 c.12](#). Section 2(1) was substituted by the Constitutional Reform Act [2005 \(c. 4\)](#), section 15 and Schedule 4, Part 1. Section 1(3) was substituted by section 82(1) of the Courts Act [2003 \(c. 39\)](#) and further amended by the Constitutional Reform Act 2005, sections 15 and 146 and Schedule 4, Part 1, paragraphs 261 and 262 and Schedule 18. Section 1(1) was amended by the Crime and Courts Act [2013 \(c. 22\)](#), section 17(5) and Schedule 9, Part 3, paragraph 67(a).

(2) [S.I. 1998/3132](#). There are relevant amendments in [S.I. 2020/747](#).

(b) in paragraph (8)—

- (i) for “Administrative Court” substitute “Queen’s Bench Division”; and
- (ii) after “determined by” in the second place where those words occur, insert “a single judge of the Queen’s Bench Division or”.

**Amendment of Part 83**

4. In rule 83.13, after paragraph (4) insert—

“(4A) The court’s permission to issue a writ of restitution in aid of a writ of possession is required whether or not permission was required for the writ of possession.”.

*The Right Honourable Sir Terence Etherton, MR  
Lord Justice Coulson  
Mr Justice Birss  
Mr Justice Kerr  
Master Cook  
District Judge Cohen  
District Judge Parker  
Isabel Hitching QC  
Anja Lansbergen-Mills  
Tom Montagu-Smith QC  
David Marshall  
John McQuater  
Lizzie Iron*

I allow these Rules  
Signed by authority of the Lord Chancellor

*Alex Chalk*  
Parliamentary Under-Secretary of State for  
Justice  
Ministry of Justice

3rd November 2020

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Civil Procedure Rules 1998 ([S.I. 1998/3132](#)) by—

- amending Part 81—
  - to ensure that a District Judge is able to determine a contempt application in the county court where a rule or practice direction so provides;
  - to enable certain applications for permission to make a contempt application to be determined, and if permission is granted for the contempt application itself to be determined, by a wider range of judges;
- amending Part 83 to ensure that the court's permission to issue a writ of restitution in aid of a writ of possession is required regardless of whether permission was required for the writ of possession itself.