
STATUTORY INSTRUMENTS

2020 No. 82

The Civil Procedure (Amendment) Rules 2020

Amendment of Part 73

9.—(1) In the table of contents of Part 73, after the entry for rule 73.10, insert—

“Reconsideration of a decision made by a legal adviser	Rule 73.10ZA”.
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(2) In rule 73.1(2)—

(a) after sub-paragraph (c) insert—

“(ca) “final charging order” means an order confirming that a charge imposed by an interim charging order continues;”;

(b) after sub-paragraph (e) insert—

“(ea) “legal adviser” means a court officer assigned to the county court who is—

(i) a barrister;

(ii) a solicitor; or

(iii) a Fellow of the Chartered Institute of Legal Executives,

who may exercise the jurisdiction of the county court with regard to matters set out in this Part to the extent specified in this Part, with the consent of the Designated Civil Judge for Greater Manchester, or their nominee;”.

(3) In rule 73.10—

(a) in paragraph (6), after “a judge” insert “or a legal adviser”;

(b) after paragraph (6) insert—

“(6A) When considering the application under paragraph (6), a legal adviser may only—

(a) make a final charging order, if it provides that the charge imposed by the interim charging order is to continue without modification (except for the amount secured);

(b) discharge the interim charging order and dismiss the application, if the applicant has requested it; or

(c) refer the matter to a judge.

(6B) Decisions of a legal adviser are to be made without a hearing.”; and

(c) in paragraph (7), for “court” substitute “judge”.

(4) After rule 73.10 insert—

“Reconsideration of a decision made by a legal adviser

73.10ZA.—(1) Any interested person may request any decision of a legal adviser to be reconsidered by a District Judge.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (2) A request must be filed within 14 days after the interested person is served with a notice of the decision, or becomes aware of the decision.
 - (3) The request may include a summary of the issue and an explanation of why the reconsideration is sought.
 - (4) Reconsideration may take place without a hearing.
 - (5) When reconsidering the decision of the legal adviser, the District Judge may exercise any of the powers listed in rule 73.10(7).”
- (5) In rule 73.10B(1), after “rule” insert “73.10(6A) or”.