STATUTORY INSTRUMENTS

2026 No. 817 (L. 15)

SENIOR COURTS OF ENGLAND AND WALES

COUNTY COURT, ENGLAND AND WALES

The Civil Procedure (Amendment No. 2) Rules 2026

Made - - - -	*9th July 2026*
Laid before Parliament	*15th July 2026*
Coming into force in accordance with rules 1 and 2	

The Civil Procedure Rule Committee, having power under section 19(3) of the Senior Courts Act 1981(**a**) and section 2 of the Civil Procedure Act 1997(**b**) to make rules under section 1 of and Schedule 1 to that 1997 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. 2) Rules 2026.

(2) In this rule and rule 2, "BPD changes" means the amendments made by rules 4, 7, 9, 11(2), 12 to 18, 20 to 22, 24, 27 and 28 of and Schedule 1 to these Rules to the following Parts and rules: Parts 2, 19, 30, rule 52.4, Parts 53, 57, 57A, 58, 59, 60, 61, 63, 63A, 64, 67 and 83 and to RSC Order 115.

(3) These rules come into force on 1st October 2026, except as provided by paragraphs (4) and (5).

(4) This rule and rule 3 in so far as they relate to the BPD changes, rule 2 and the BPD changes themselves, come into force on the same date, and immediately after, the Senior Courts (Transfer, Amendment and Consequential Provision) Order 2026(**c**) comes into force.

(5) Rule 23 of and Schedule 2 to these Rules come into force on 26th October 2026.

(6) In these Rules—

(**a**) 1981 c. 54.

(**b**) 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) and by section 174 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12). Schedule 1 to the 1997 Act was amended by the Courts and Tribunals (Judiciary and Functions of Staff) Act 2018 (c. 33), section 3, Schedule, Part 1, paragraph 19, the Crime and Courts Act 2013, section 17(5), Schedule 9, Part 3, paragraph 67(b).

(**c**) S.I. 2026/723.

(a) a reference to a Part or a rule by number alone means the Part or rule so numbered in the Civil Procedure Rules 1998(**a**); and

(b) a reference to "Schedule 1" alone means Schedule 1 to those Rules, and a reference to an Order by number and prefixed by "RSC" means the RSC Order so numbered in that Schedule.

Transitional provision

2. Any claims, applications, petitions or appeals filed or issued in or transferred to the Admiralty Court, the Commercial Court, a Circuit Commercial Court, the Technology and Construction Court of the High Court or the Chancery Division before the date that the BPD changes come into force shall proceed from that date as if filed or issued in or transferred to the appropriate court or list of the Business and Property Division.

Amendments to the Civil Procedure Rules 1998

3. The Civil Procedure Rules 1998 are amended in accordance with rules 4 to 28 of, and Schedules 1 and 2 to, these Rules.

Amendment of Part 2

4. In rule 2.3(1), before the definition of "child", insert—

> ""Business and Property Division at the Rolls Building", "BPD DR" and "Business and Property Division" have the meanings given by rule 57A.1;".

Amendment of Part 3

5. Omit rule 3.16(2).

Amendment of Part 8

6. In the words in parentheses following rule 8.8(2), for "Rule 8.1(3)" substitute "Rule 8.1(4)".

Amendment of Part 19

7. In rule 19.22(2)(d)—

(a) for "Chancery Division" substitute "Business and Property Division"; and

(b) for "Chancellor of the High Court" substitute "President of the Business and Property Division".

Amendment of Part 23

8. In rule 23.8(4) and (5), after "the application" insert "under paragraph (1)".

(**a**) S.I. 1998/3132. There are relevant amendments in S.I. 1999/1008; S.I. 2000/221; S.I. 2001/1388; S.I. 2001/4015; S.I. 2002/2058; S.I. 2002/3219; S.I. 2003/2113; S.I. 2003/3361; S.I. 2004/1306; S.I. 2004/3419; S.I. 2005/2292; S.I. 2007/3543; S.I. 2008/3327; S.I. 2009/2092; S.I. 2010/1953; S.I. 2013/262; S.I. 2013/1974; S.I. 2014/407; S.I. 2014/2044; S.I. 2015/1569; S.I. 2016/788; S.I. 2017/95; S.I. 2017/889; S.I. 2018/975; S.I. 2019/521; S.I. 2019/1118; S.I. 2020/747; S.I. 2023/105; S.I. 2023/788; S.I. 2025/893; S.I. 2026/97.

Amendment of Part 30

9.—(1) In rule 30.2(8), for "the Chancery Division at the Royal Courts of Justice or to one of the Chancery district registries" substitute "a Property, Trusts and Probate List of the Business and Property Division".

(2) In rule 30.5(4)—

(a) for "the Chancery Division and a King's Bench Division specialist list" substitute "lists of the Business and Property Division"; and

(b) for "Chancellor of the High Court" substitute "President of the Business and Property Division or their nominee".

(3) In rule 30.8—

(a) in paragraph (1), for "in the King's Bench Division, (other than proceedings in the Commercial or Admiralty Courts), a district registry of the High Court or the County Court," substitute "(other than proceedings already in a Competition List of the Business and Property Division, or in the Admiralty Court or Commercial Court of the Business and Property Division at the Rolls Building)";

(b) in paragraph (3), for "Chancery Division of the High Court at the Royal Courts of Justice" substitute "Competition List, Admiralty Court or Commercial Court of the Business and Property Division at the Rolls Building"; and

(c) in paragraph (4)—

(i) omit "which have been commenced in the King's Bench Division or a Circuit Commercial Court"; and

(ii) for "Chancery Division of the High Court at the Royal Courts of Justice" substitute "Competition List of the Business and Property Division at the Rolls Building".

Amendment of Part 31

10.—(1) In rule 31.3(2)—

(a) in sub-paragraph (a), for "he is" substitute "they are"; and

(b) in sub-paragraph (b)—

(i) for "he" substitute "they"; and

(ii) for "his" substitute "their".

(2) In rule 31.6—

(a) in sub-paragraph (a), for "he relies" substitute "they rely";

(b) in sub-paragraph (b)(i), for "his" substitute "their"; and

(c) in sub-paragraph (c), for "he is" substitute "they are".

(3) In rule 31.7(3)—

(a) for "he" substitute "they"; and

(b) for "his" substitute "their".

(4) In rule 31.8, each time it appears—

(a) for "his" substitute "their"; and

(b) for "he has or has had" substitute "they have or have had".

(5) In rule 31.9(2)(b), for "his" substitute "their".

(6) In rule 31.10—

(a) in the words in parentheses following paragraph (4), for "he has" substitute "they have";

(b) in paragraph (6)—

(i) for the opening words, substitute—

"(6) Except as provided by any rule or practice direction, a disclosure statement is a statement made by the party disclosing the documents (or, where relevant, their litigation friend)—";

(ii) in sub-paragraph (a), for "he is" substitute "they are";

(iii) in sub-paragraph (b), for "he understands" substitute "they understand"; and

(iv) in sub-paragraph (c), for "his knowledge he has" substitute "their knowledge they have"; and

(c) in paragraph (7), for "he is" substitute "they are".

(7) In rule 31.11(2), for "he" substitute "they".

(8) In rule 31.12, in the words in parentheses following paragraph (3)—

(a) for "his" substitute "their"; and

(b) for "he" substitute "they".

(9) In rule 31.15—

(a) in paragraph (a), for "his" substitute "their";

(b) in paragraph (b), for "he" substitute "they"; and

(c) in paragraph (c)—

(i) for "he also undertakes" substitute "they also undertake";

(ii) for "him" substitute "them"; and

(iii) for "he received" substitute "they received".

(10) In rule 31.16—

(a) in paragraph (4)(b)—

(i) in the opening wording, for "him" substitute "them";

(ii) in sub-paragraph (i), for "his" substitute "their"; and

(iii) in sub-paragraph (ii), for "he claims" substitute "they claim"; and

(b) in paragraph (5), for "his" substitute "their".

(11) In rule 31.17—

(a) in paragraph (4)(b)—

(i) in sub-paragraph (i), for "his" substitute "their"; and

(ii) in sub-paragraph (ii), for "he claims" substitute "they claim"; and

(b) in paragraph (5)(a), for "his" substitute "their".

(12) In rule 31.19(3)—

(a) each time it appears, for "he has" substitute "they have"; and

(b) for "he claims" substitute "they claim".

(13) In rule 31.21, each time it appears, for "he fails" substitute "they fail".

(14) In rule 31.23(1), for "he makes, or causes" substitute "they make, or cause".

Amendment of Part 52

11.—(1) In rule 52.3(2), after "paragraph (1)(c)" insert "or the appeal is of a decision that is within rule 62.10A".

(2) In rule 52.4(4), for "Circuit Commercial, Chancery or Technology and Construction Court lists" substitute "Business and Property Division".

(3) In rule 52.12(2), at the start of the rule, for "The" substitute "Except where rule 62.10A(3) applies, the".

Amendment of Part 53

12. In rule 53.2—

(a) in paragraph (3), for "Chancellor of the High Court" substitute "President of the Business and Property Division"; and

(b) in paragraph (4)(a), for "Chancery Division" substitute "Business and Property Division".

Amendment of Part 57

13.—(1) In rule 57.1(2)(b)—

(a) in paragraph (i), for "Chancery district registry" substitute "BPD DR"; and

(b) in paragraph (ii), for "Chancery Chambers at the Royal Courts of Justice, Strand, London, WC2A 2LL" substitute "the Business and Property Division at the Rolls Building".

(2) In rule 57.2—

(a) in paragraph (2), for "the Chancery Division" substitute "a Property, Trusts and Probate List of the Business and Property Division"; and

(b) for paragraph (3) substitute—

"(3) Probate claims in the County Court must be started in accordance with paragraph 4.1(b) of Practice Direction 57AA.".

(3) In rule 57.3(a), after "office" insert "(and in the Business and Property Division, in a Property, Trusts and Probate List)".

(4) In rule 57.9(4), for sub-paragraphs (a) and (b), substitute—

"(a) a Property, Trusts and Probate List of the Business and Property Division; or

(b) if the County Court has jurisdiction, to a County Court hearing centre listed in paragraph 4.1(b) of Practice Direction 57AA,

if it is not already proceeding in one of those places.".

(5) In rule 57.13, for paragraph (2), substitute—

"(2) Claims under this Section must be started in a Property, Trusts and Probate List of the Business and Property Division.".

(6) In rules 57.15(1)(a), 57.18(1)(a) and 57.26(1)(a), for "the Chancery Division" substitute "a Property, Trusts and Probate List of the Business and Property Division.".

Replacement of Part 57A

14. For Part 57A, substitute Part 57A The Business and Property Division, as set out in Schedule 1 to these Rules.

Amendment of Part 58

15.—(1) In the table of contents, after the entry for rule 58.15, insert—

"Enforcement	Rule 58.16".

(2) In rule 58.1(1), for "King's Bench Division" substitute "Business and Property Division".

(3) After rule 58.15, insert—

"Enforcement

58.16. Unless the court otherwise orders, any jurisdiction relating to the enforcement of a Commercial Court judgment or order for the payment of money may be exercised by a Master of the King's Bench Division or a District Judge.".

Amendment of Part 59

16. In rule 59.1(2)(b), for "Courts" substitute "Division".

Amendment of Part 60

17.—(1) In the table of contents, after the entry for rule 60.6, insert—

"Judgments and Orders	Rule 60.7
Enforcement	Rule 60.8".

(2) After rule 60.7, insert—

"Enforcement

60.8. Unless the court otherwise orders, any jurisdiction relating to the enforcement of a judgment or order for the payment of money of the Technology and Construction Court of the High Court in London may be exercised by a Master of the King's Bench Division.".

Amendment of Part 61

18.—(1) In the table of contents, after the entry for rule 61.13, insert—

"Enforcement	Rule 61.14".

(2) In rule 61.1(2)(b), for "King's Bench Division" substitute "Business and Property Division".

(3) After rule 61.13, after the words in parentheses, insert—

"Enforcement

61.14. Unless the court otherwise orders, any jurisdiction relating to the enforcement of an Admiralty Court judgment or order for the payment of money may be exercised by a Master of the King's Bench Division.".

Amendment of Part 62

19.—(1) In the table of contents for Part 62, after the entry for rule 62.10, insert—

"Decisions under the 1996 Act(**a**) where the permission of the court which made the decision is required for an appeal	Rule 62.10A".

(2) After rule 62.10, insert—

"Decisions under the 1996 Act where the permission of the court which made the decision is required for an appeal

62.10A.—(1) A decision is within this rule if it is a decision under a section of the 1996 Act in respect of which the permission of the court which made the decision is required for an appeal.

(2) Any application for permission to appeal against a decision within this rule must be made to the court which made that decision—

(a) at the hearing at which the decision to be appealed was made or any adjournment of that hearing, if the decision was made at a hearing; or

(b) within 14 days after the date of the decision, if it was not made at a hearing.

(3) For an appeal against a decision within this rule, after permission to appeal has been granted, the appellant must file the appellant's notice at the appeal court within—

(a) such period as may have been directed by the court from which the appeal is brought in its order granting permission to appeal; or

(b) where the court makes no such direction when granting permission to appeal, 21 days after the date on which that permission was granted.".

Amendment of Part 63

20.—(1) In rule 63.1(2)—

(a) in sub-paragraph (f), for "Chancery Division" substitute "Business and Property Division";

(b) in sub-paragraph (g), for "Chancery Division of the High Court" substitute "Business and Property Division"; and

(c) in sub-paragraph (h) for "Chancellor of the High Court" substitute "President of the Business and Property Division".

(2) In rule 63.13, for the paragraphs (a) to (c), substitute—

"(a) a General IP List or the Intellectual Property Enterprise Court of the Business and Property Division; or

(b) the County Court in accordance with paragraph 4.1(b) of Practice Direction 57AA.".

(3) In rule 63.16(2), for "the Chancery Division" substitute "a General IP List of the Business and Property Division".

(4) In rule 63.18(1)—

(a) in sub-paragraph (a), for "the general Chancery Division" substitute "in the Business and Property Division"; and

(b) in sub-paragraph (b)—

(i) after "from the County Court or" insert "any list of"; and

(**a**) 1996 c. 23.

(ii) each time it appears, for "general Chancery Division" substitute "Business and Property Division".

(5) In rule 63.25(4), for "general Chancery Division" substitute "a General IP List of the Business and Property Division".

Amendment of Part 63A

21.—(1) In rule 63A.2—

(a) in paragraph (1)—

(i) for "may" substitute "must"; and

(ii) for " Commercial Court or the Chancery Division in London" substitute "Business and Property Division at the Rolls Building"; and

(b) in paragraph (2), for "Chancellor of the High Court" substitute "President of the Business and Property Division".

(2) In rule 63A.4(3), omit "of the Chancery Division or the Commercial Court".

Amendment of Part 64

22. In rule 64.1(3), for "the Chancery Division" substitute "a Property, Trusts and Probate List of the Business and Property Division.".

Amendment of Part 65

23.—(1) In the table of contents, after the entry for rule 65.49, insert—

"IX RESPECT ORDERS UNDER PART A1 OF THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014(**a**)

Scope of this Section and interpretation	Rule 65.50
Applications for a respect order - general	Rule 65.51
Application for a respect order on notice	Rule 65.52
Application for a respect order without notice	Rule 65.53
Service of respect orders - general	Rule 65.54
Application to vary or discharge a respect order or interim respect order	Rule 65.55".

(2) In rule 65.1—

(a) at the end of sub-paragraph (g), omit "and";

(b) at the end of sub-paragraph (h), for the full stop, substitute "; and"; and

(c) after sub-paragraph (h) insert—

"(i) in Section IX, about respect orders under Part A1 of the Anti-Social Behaviour, Crime and Policing Act 2014".

(3) After rule 65.49, after the words in parentheses, insert rules 65.50 to 65.55 as set out in Schedule 2 to these Rules.

(**a**) 2014 c. 12. Section 1 of the Crime and Policing Act 2026 (c. 20) amends the 2014 Act to introduce Part A1 into that Act.

Amendment of Part 67

24. In rule 67.4(1)(a), for "the Chancery Division" substitute "a Business List of the Business and Property Division".

Amendment of Part 75

25.—(1) In the table of contents to this Part—

(a) in the entry for rule 75.3, after "Request" insert "for registration";

(b) in the entry for rule 75.9, for "Transfer" substitute "Applications"; and

(c) omit the entries for rules 75.10 and 75.11.

(2) In rule 75.1(2)—

(a) in sub-paragraph (b)—

(i) in paragraph (i), for "seize" substitute "take control of"; and

(ii) in paragraph (ii), for "execution" substitute "enforcement"; and

(b) after sub-paragraph (b) insert—

"(ba) 'notice of enforcement' has the meaning given in regulation 2 of the Taking Control of Goods Regulations 2013(**a**);

(bb) 'order for recovery' means an order drawn up by the authority under rule 75.3(4) on receipt from the court of the registered request under rule 75.3(3);".

(3) In rule 75.3—

(a) in the heading to the rule, after "Request" insert "for registration";

(b) in paragraph (4), after "order", in each place it appears, insert "for recovery"; and

(c) in paragraph (5), after "order" insert "for recovery".

(4) In rule 75.5A—

(a) in paragraph (3)—

(i) in the opening words, for "Unless" substitute "Subject to paragraph (4), unless";

(ii) in sub-paragraphs (a) and (b), for "an oral", in both places it appears, substitute "a"; and

(iii) in the full-out—

(aa) for "(2) will be dealt with" substitute "(1) shall be determined";and

(bb) for "an oral" substitute "a"; and

(b) after paragraph (3) insert—

"(4) Where a court officer has made an order on an application for a longer period to file a statutory declaration or witness statement, a request for a review under paragraph (1) shall be determined without a hearing unless the court otherwise directs.".

(5) In rule 75.7—

(a) in paragraph (1)(a) and (b), after "order", in both places it appears, insert "for recovery";

(b) for paragraphs (7) to (10) substitute—

"(5) Where the address of the respondent has changed since the issue of the warrant, the warrant shall remain valid if a new notice of enforcement (as required by regulation 7 of the Taking Control of Goods Regulations 2013) is given to the respondent.

(**a**) S.I. 2013/1894.

(6) Where paragraph (5) applies, the warrant remains valid only for the remainder of the 12 month period beginning with the date it was originally issued.

(7) Where an authority's warrant of control has been issued in accordance with this rule, any application made under rule 84.5 must be made to the Centre and will be determined by a District Judge.".

(6) In rule 75.8—

(a) in the opening words, after "an order" insert "for recovery";

(b) in sub-paragraph (b), for "execution issued on" substitute "warrant of control issued pursuant to"; and

(c) in sub-paragraph (c), for "levy execution" substitute "exercise the enforcement power".

(7) For rules 75.9 to 75.11 substitute—

"Applications for enforcement

75.9.—(1) Where an authority applies for any of the following orders, it must send to the Centre a separate application for each order sought—

(a) a charging order;

(b) an attachment of earnings order;

(c) an order to obtain information;

(d) a third party debt order.

(2) An application under paragraph (1) may combine different orders for recovery made against the same respondent under rule 75.3(4).

("Order for recovery" is defined in rule 75.1(2)(bb).)

(3) In respect of each order for recovery to which an application under paragraph (1) relates, the authority must—

(a) where it has not attempted to enforce the order for recovery by taking control of goods, state the reason why no such attempt was made;

(b) certify that there has been no relevant return of the warrant of control;

(c) specify the date on which the order for recovery was served on the respondent; and

(d) certify that the period required before making the application has expired.

(4) Where an application under paragraph (1) relates to more than one order for recovery, the information required by paragraph (3) must be provided in the form specified in Practice Direction 75.

(5) Before an application under paragraph (1) is issued, the Centre shall send—

(a) any application for a charging order or an attachment of earnings order to the Civil National Business Centre; and

(b) any application for an order to obtain information or a third party debt order to the appropriate County Court hearing centre,

together with any material relating to the application.".

Amendment of Part 77

26. In the table of contents, in the entry for rule 77.3, for "and an ISCPO" substitute "or an ISCPO".

Amendment of Part 83

27. In rule 83.9(1)(ca), for "the Chancery Division, Chancery Chambers" substitute "any other part of the Business and Property Division, the court office at the Rolls Building".

Amendment to Schedule 1

28. In RSC Order 115, rules—

(a) 2; and

(b) 25(1),

for "Chancery Division" substitute "Business and Property Division".

Lady Justice Cockerill
Mr Justice Trower
Master Sullivan
His Honour Judge Hywel James
Her Honour Judge Emma Kelly
District Judge Clarke
Isabel Hitching KC
Tom Montagu-Smith KC
Gregory Cox
Ben Roe
Elisabetta Sciallis
Ian Curtis-Nye

I allow these Rules
Signed by Authority of the Lord Chancellor

Sarah Sackman
Minister of State
Ministry of Justice

9th July 2026

SCHEDULES

SCHEDULE 1

Rule 14

Part 57A The Business and Property Division

"PART 57A

The Business and Property Division

Contents of this Part

Interpretation	Rule 57A.1
Compliance with Practice Directions	Rule 57A.2
Business and Property Work in the County Court	Rule 57A.3

Interpretation

57A.1. In these Rules—

(a) "Business and Property Division at the Rolls Building" means the Business and Property Division of the High Court at the Royal Courts of Justice, Rolls Building, London, EC4A 1NL;

(b) "BPD DR" means a district registry of the High Court specified in Practice Direction 57AA;

(c) "Business and Property Division" means—

(i) the Business and Property Division at the Rolls Building; and

(ii) the BPD DRs.

Compliance with Practice Directions

57A.2.—(1) Proceedings to be started in the Business and Property Division must be started in accordance with Practice Direction 57AA.

(2) In proceedings in the Business and Property Division, the parties must comply with practice directions under this Part.

Business and Property Work in the County Court

57A.3. Proceedings which may be started in the Business and Property Division may instead be started in and heard by the County Court in accordance with paragraph 4.1 of Practice Direction 57AA.".

SCHEDULE 2

Rule 23

Part 65 Proceedings relating to anti-social behaviour and harassment

"SECTION IX

RESPECT ORDERS UNDER PART A1 OF THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

Scope of this Section and interpretation

65.50.—(1) This Section applies to applications for a respect order under Part A1 of the Anti-social Behaviour, Crime and Policing Act 2014(**a**).

(2) In this Section, "the 2014 Act" means the Anti-Social Behaviour, Crime and Policing Act 2014.

Applications for a respect order – general

65.51.—(1) An application for a respect order under Part A1 of the 2014 Act is subject to the Part 8 procedure as modified by this rule and rules 65.52 and 65.53, and Practice Direction 65.

(2) The application—

(a) must be made by a claim form in accordance with Practice Direction 65;

(b) if made in a County Court hearing centre, must be made in the County Court hearing centre which serves the address where the defendant resides or carries on business or the area in which the conduct complained of took place;

(c) must be supported by a witness statement which must be filed with the claim form;

(d) must include a statement that the defendant is entitled to a reasonable opportunity to obtain legal representation and to apply for legal aid which may be available; and

(e) must include a statement that the notification requirements under section K1 of the 2014 Act have been complied with and who has been notified, or that no notice was required.

(3) The claim form must—

(a) state the matters required by rule 8.2;

(b) state the terms of the respect order applied for; and

(c) be accompanied by a draft of the respect order sought, in accordance with Practice Direction 65.

Application for a respect order on notice

65.52.—(1) If the application is made on notice—

(a) the claim form, together with a copy of the witness statement and draft order; and

(b) the notice of the first hearing,

(**a**) 2014 c. 12. Section 1 of the Crime and Policing Act 2026 (c. 20) amends the 2014 Act to introduce Part A1 into that Act.

must be served by the claimant on the defendant personally.

(2) An application made on notice may be listed for hearing before the expiry of the time for the defendant to file an acknowledgment of service under rule 8.3, and in such a case—

(a) the claimant must, as soon as is practicable in accordance with paragraph (1) (and in any event not less than 2 days before the hearing), serve the claim form, witness statement, draft order and notice of the first hearing on the defendant; and

(b) the defendant may take part in the hearing whether or not the defendant has filed an acknowledgment of service.

Application for a respect order without notice

65.53.—(1) If the application is made without notice—

(a) the witness statement in support of the application must state the reasons why notice has not been given;

(b) the following rules do not apply—

(i) 8.3;

(ii) 8.4;

(iii) 8.5(2) to (6);

(iv) 8.6(1);

(v) 8.7;

(vi) 8.8; and

(c) Part 20 does not apply.

(2) If the application is made without notice, once the without notice aspect of the application has been determined, the claim form must be served by the claimant on the defendant personally, together with a copy of the witness statement, any draft order, any order made and any notice of the first hearing that the defendant may attend.

Service of respect orders - general

65.54. Where a respect order or interim respect order has been granted, the claimant must, as soon as practicable—

(a) serve a copy of the respect order or interim respect order on the defendant personally; and

(b) after service of the respect order or interim respect order on the defendant, deliver to the police station serving the area where the defendant resides or any police station that the court may direct, and to any supervisor appointed under section D1(1) of the 2014 Act in relation to a requirement in that respect order or interim respect order—

(i) a copy of the respect order or interim respect order; and

(ii) a certificate of service confirming that the defendant has been served with the respect order or interim respect order as appropriate.

Application to vary or discharge a respect order or interim respect order

65.55.—(1) An application to vary or discharge a respect order or interim respect order under section G1 of Part A1 of the 2014 Act must be made in accordance with Part 23.

(2) Where an order is made varying or discharging any aspect of the respect order or interim respect order ("the variation or discharge order"), the claimant must—

(a) immediately inform the defendant and the police station and any supervisor to which a copy of the respect order or interim respect order and certificate of service were delivered under rule 65.54(b) that the variation or discharge order has been made; and

(b) as soon as practicable—

(i) serve on the defendant personally a copy of the variation or discharge order; and

(ii) after service of the variation or discharge order on the defendant, deliver a copy of the variation or discharge order to any police station and any supervisor informed of that order under sub-paragraph (a), together with a certificate of service confirming that the defendant has been served with a copy of that order.".

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Civil Procedure Rules (S.I. 1998/3132)—

—by amending the following Parts of the Rules to reflect the transfer of the Admiralty Court and the Commercial Court from the King's Bench Division of the High Court to the Chancery Division, the renaming of the Chancery Division as the Business and Property Division and the change of title of the Chancellor of the High Court to the President of the Business and Property Division, by an Order in Council made under section 7(1) and (3) of the Senior Courts Act 1981, and to reflect the transfer of the Circuit Commercial Courts and the Technology and Construction Court of the High Court to the BPD:

- Part 2 (application and interpretation of the Rules);
- Part 19 (parties and group litigation);
- Part 30 (transfer);
- Part 52, rule 52.4 (appeals);
- Part 53 (media and communications claims);
- Part 57 (probate, inheritance, presumption of death and guardianship of missing persons);
- Part 57A (business and property courts);
- Part 58 (commercial court);
- Part 59 (circuit commercial courts);
- Part 60 (technology and construction court claims) (the opportunity has also been taken to add a missing entry into the table of contents);
- Part 61 (admiralty claims);
- Part 63 (intellectual property claims);
- Part 63A (financial list);
- Part 64 (estates, trusts and charities);
- Part 67 (proceedings relating to solicitors);
- Part 83 (writs and warrants - general provisions);
- RSC Order 115 (confiscation and forfeiture in connection with criminal proceedings);

—by amending rule 3.16 (costs management conferences) to omit paragraph (2), which currently provides that where practicable costs management conferences should be conducted by telephone or in writing;

—by amending rule 8.8(2) (procedure where defendant objects to use of the Part 8 procedure) to update a cross-reference to rule 8.1;

—by amending rule 23.8 (applications which may be decided without a hearing) to make a clarification amendment;

—by amending Part 31 (disclosure and inspection of documents) to use gender neutral language, and also by amending the opening wording to rule 31.10(6) (procedure for standard disclosure)

to clarify the process for signing disclosure statements when a person lacks capacity and is represented by a litigation friend;

—by amending Part 62 (arbitration claims) to insert a new rule 62.10A in relation to the time limit and procedure for seeking leave to appeal to the Court of Appeal against a decision refusing leave to appeal against an arbitration award under section 69 of the Arbitration Act 1996, prompted by the judgment in RRY v NKX [2025] EWHC 41 (Comm), and to make consequential amendments to rules 52.3 (permission to appeal) and 52.12 (Appellant's notice);

—by amending Part 65 (proceedings relating to anti-social behaviour and harassment) to insert a new Section IX in relation to respect orders that are to be made under Part A1 of the Anti-Social Behaviour, Crime and Policing Act 2014 (c. 12). Section 1 of the Crime and Policing Act 2026 (c. 20) inserts Part A1 into the 2014 Act;

—by amending Part 75 (traffic enforcement) to align terminology with the Taking Control of Goods Regulations 2013 (S.I. 2013/1894); to provide that the order drawn up by a charging authority following registration by the Traffic Enforcement Centre (TEC) of an unpaid penalty charge is referred to as an "order for recovery"; to provide that a request for review of a decision of a court officer on an application for an extension of time to file a witness statement or statutory declaration is to be determined without a hearing unless the court otherwise directs; to provide that a warrant of control remains valid where the address of the respondent changes after issue, if a new notice of enforcement is given; to provide that an application under rule 84.5 to extend the period in which to take control of goods is to be made to the TEC; and to replace the existing provisions governing applications for further enforcement with provision requiring such applications to be sent in the first instance to the TEC;

—by amending the table of contents for Part 77 (provisions in support of criminal justice) so that the entry for rule 77.3 correctly reflects the heading of that rule.

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