This Statutory Instrument has been made in consequence of a defect in S.I. 2023/987 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2025 No. 1275

SENIOR COURTS OF ENGLAND AND WALES

COUNTY COURT, ENGLAND AND WALES

FAMILY COURT, ENGLAND AND WALES

The Court Funds (Amendment) Rules 2025

Made - - - -	*4th December 2025*
Laid before Parliament	*8th December 2025*
Coming into force - -	*19th January 2026*

The Lord Chancellor, in exercise of the powers conferred by section 38(7) to (9) of the Administration of Justice Act 1982(**a**), and with the concurrence of the Treasury, makes the following Rules.

Citation, commencement, interpretation and extent

1.—(1) These Rules may be cited as the Court Funds (Amendment) Rules 2025 and come into force on 19th January 2026.

(2) In these Rules, a reference to a rule by number alone means the rule so numbered in the Court Funds Rules 2011(**b**).

(3) These Rules extend to England and Wales.

Amendment of the Court Funds Rules 2011

2. The Court Funds Rules 2011 are amended in accordance with rules 3 to 7 of these Rules.

Amendment to rule 11 (interest bearing accounts)

3. In rule 11—

(a) at the beginning insert—

"(A1) Paragraphs (1) to (3) apply to funds deposited in sterling.";

(b) after paragraph (3) insert—

(**a**) 1982 c. 53, as amended by the Crime and Courts Act 2013 (c. 22) and the Finance (No. 2) Act 2023.
(**b**) S.I. 2011/1734, as amended by S.I. 2023/987. There are other amending instruments but none is relevant.

"(5) Paragraphs (6) to (8) apply to funds deposited in foreign currency.

(6) The Accountant General shall invest money in accordance with any:

(a) payment schedule signed and authenticated by a court, or if the case is one where the Accountant General has directed that electronic means may be used, an electronic authenticated copy of such schedule from the court, directing the investment or reinvestment of the foreign currency; or

(b) directions in accordance with rule 17(2) directing the investment or reinvestment of the foreign currency.

(7) Where paragraph (6) does not apply, the Accountant General shall invest money in an interest bearing account of that currency that allows for withdrawals of money at any time without penalty.

(8) Where it is not possible to invest money in any currency in which the fund is required to be invested by virtue of paragraph (6) or (7), the Accountant General shall apply to the appropriate court for directions.".

Amendment to rule 13 (accrual of interest)

4. In rule 13—

(a) in paragraph (2)—

(i) omit "and rule 16(2)";

(ii) omit "on a daily basis";

(b) after paragraph (3) insert—

"(3A) The Accountant General shall credit accrued interest without deducting income tax.

(3B) Paragraphs (3C) and (4) apply to funds deposited in sterling.

(3C) Interest shall accrue on a daily basis.";

(c) omit paragraph (5);

(d) at the end insert—

"(6) Paragraphs (7) to (10) apply to funds deposited in foreign currency.

(7) Interest shall accrue under the terms of the foreign currency account.

(8) Unless the Accountant General directs otherwise, accrued interest shall be credited:

(a) when credited under the terms of the foreign currency account;

(b) when money is reinvested; and

(c) when an account is closed.

(9) The Accountant General shall pay any charge incurred in placing foreign currency into a foreign currency account from the account in which the foreign currency is held.

(10) Unless a court, deputy or investment manager directs otherwise, the Accountant General shall convert dividend payments received in a foreign currency into sterling and invest the proceeds in accordance with this Part.".

Amendment to rule 14 (investment)

5. In rule 14(1), after "court" insert "in sterling".

Omission of rule 16 (foreign currency)

6. Omit rule 16.

Amendment to rule 27 (payment under CPR rule 37.3 (payment out of money paid into court))

7. In rule 27, for the words from "either" to the end substitute—

"(a) either—

(i) a written request from the claimant; or

(ii) written confirmation from the defendant that all or part of the fund in court may be used to satisfy the offer in whole or in part; or

(b) where rule 22A1 applies, either—

(i) an electronic request from the claimant; or

(ii) an electronic copy of the confirmation from the defendant that all or part of the fund in court may be used to satisfy the offer in whole or in part.".

David Lammy
Lord Chancellor
Ministry of Justice

3rd December 2025

We concur,

Gen Kitchen
Taiwo Owatemi
Two of the Lords Commissioners of His Majesty's Treasury

4th December 2025

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Court Funds Rules 2011 (S.I. 2011/1734) ("the 2011 Rules"). The 2011 Rules govern the administration and management of funds in court by the Accountant General. The primary purpose of these Rules is to provide more detail on differences in treatment between the accounts and investments of sterling deposits and foreign currency deposits.

Rule 3 amends rule 11 of the 2011 Rules to insert new rules 11(A1) and 11(5), to make clear which rules apply to sterling and which to foreign currency. It inserts rules 11(6) and 11(7) to make clear that foreign currency will be held in an easily accessible account of that currency unless and until a payment schedule or directions are received to the contrary. Rules 11(6)(a) and (b) are not new and have moved from previous rule 16(1)(a) and (b), with some minor language changes for readability.

Rule 4 amends rule 13 of the 2011 Rules to insert new rules 13(3B) and 13(6) to make clear which rules apply to sterling and which to foreign currency. Previous rule 13(5) is omitted and inserted as rule 13(3A) to make clear it applies to both sterling and foreign currency. Rule 13(3C) is inserted to make clear that interest only automatically accrues on a daily basis for deposits in sterling. Rule 13(7) and (8) are inserted to explain how interest is accrued and credited for foreign currency deposits. Rules 13(9) and (10) are inserted to provide detail on the payment of charges and dividends for foreign currency. These are not new rules and were previously rules 16(3) and (4).

Rules 5 amends rule 14 of the 2011 Rules to make clear that it only applies to sterling deposits.

Rule 6 omits the entirety of rule 16 of the 2011 Rules, although as set out above, some of the rules have been retained and inserted elsewhere.

Rule 7 amends rule 27 of the 2011 Rules to remove the rule that requires the provision of a written request from an executor of the deceased's estate when the Accountant General is making certain payments out under Part 37.3 of the Civil Procedure Rules.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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