This Statutory Instrument has been made in consequence of a defect in S.I. 2025/1275 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2026 No. 593

SENIOR COURTS OF ENGLAND AND WALES, ENGLAND AND WALES

COUNTY COURT, ENGLAND AND WALES

FAMILY COURT, ENGLAND AND WALES

The Court Funds (Amendment) Rules 2026

Made - - - -	*3rd June 2026*
Laid before Parliament	*5th June 2026*
Coming into force - -	*29th June 2026*

The Lord Chancellor, in exercise of the powers conferred by sections 38(7) and (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 2026 and come into force on 29th June 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.

Amendments to the Court Funds Rules 2011

2. The Court Funds Rules 2011 are amended in accordance with rules 3 and 4 of these Rules.

Amendment to rule 11

3. In rule 11 (interest bearing accounts)—

(a) after paragraph (1) insert—

(**a**) 1982 c. 53.
(**b**) S.I. 2011/1734, as amended by S.I. 2023/987 and 2025/1275. There are other amending instruments but none is relevant.

"(1A) Money shall not be invested in a special account unless it is money to which a child or person who lacks capacity is entitled.".

Amendment to rule 27

4. For rule 27 (payment under CPR rule 37.3 (payment out of money paid into court)) substitute—

"Payment under CPR rule 37.3 (payment out of money paid into court)

27.—(1) This rule applies where—

(a) a payment is to be made to a claimant out of a fund in court under CPR rule 37.3(**a**); and

(b) the permission of a court is not required for the payment.

(2) Subject to rule 28(3), where a defendant has deposited money under a court order or in support of a defence of tender before claim and a CPR Part 36 offer is subsequently accepted, the Accountant General shall make a payment from a fund in court if provided with—

(a) where rule 22A(1) does not apply—

(i) a written request from the claimant; and

(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 22A(1) applies—

(i) an electronic request from the claimant; and

(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.

(3) The Accountant General shall pay any accrued interest remaining in court following a payment under paragraph (2) or rule 28(2) to the defendant.

(4) The Accountant General may not make any payment under this rule where more than one defendant is sued jointly and not all of the defendants have deposited money in court unless—

(a) the claimant has also discontinued the claim against the defendants who have not deposited money in court; and

(b) the Accountant General is provided with a copy, either by post or, where rule 22A(1) applies, by electronic means, of—

(i) the notice of discontinuance; and

(ii) the written consent to the discontinuance of each of those defendants.".

(**a**) S.I. 1998/3132, as amended by S.I. 2006/3435 and 2014/3299.

Signed by the authority of the Lord Chancellor

Sarah Sackman
Minister of State
3rd June 2026 Ministry of Justice

We concur,

Taiwo Owatemi
Christian Wakeford
3rd June 2026 Two of the Lords Commissioners of His Majesty's Treasury

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.

Under the 2011 Rules, the Accountant General must maintain two interest bearing accounts, known as the special and basic accounts. Rule 3 amends rule 11 of the 2011 Rules to insert new paragraph (1A) to make clear that investment in the special account is to be used only for funds to which a child or person lacking capacity is entitled.

Rule 4 substitutes rule 27 of the 2011 Rules to correct drafting errors inserted by the Court Funds (Amendment) Rules 2025 (S.I. 2025/1275) ("the 2025 Amendment Rules"). This substitution clarifies in paragraph (2) the requirements of both the claimant and the defendant to enable the Accountant General to make a payment from a fund in court under rule 37.3 of the Civil Procedure Rules 1998 (S.I. 1998/3132). The text of the remainder of rule 27 is replicated to correct defective drafting, removing any ambiguity as to whether the 2025 Amendment Rules omitted the remainder of rule 27. It is renumbered for clarity but is otherwise unchanged from the version before the amendment was made by the 2025 Amendment 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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