STATUTORY INSTRUMENTS

2018 No. 479 (L. 5)

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

The Civil Procedure (Amendment No. 2) Rules 2018

Made - - - -	*9th April 2018*
Laid before Parliament	*16th April 2018*
Coming into force - -	*7th May 2018*

The Civil Procedure Rule Committee, having power under section 2 of the Civil Procedure Act 1997(**1**) to make rules under section 1 of that Act and after consulting in accordance with section 2(6)(a) 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 2018 and come into force on 7th May 2018.

(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 to 5 of these Rules.

Amendment of Part 2

3. In Part 2—

(a) in the table of contents, after the entry for rule 2.4, insert—

"Jurisdiction of the County Court exercisable by a legal adviser	Rule 2.4A"; and

(b) after rule 2.4, insert—

(**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. 2013/262, S.I. 2013/1695, S.I. 2013/1974, S.I. 2014/2044, S.I. 2014/3299 and S.I. 2017/95.

"**Jurisdiction of the County Court exercisable by a legal adviser**

2.4A. A legal adviser, defined in paragraph 1.2(b) of Practice Direction 2E, may exercise the jurisdiction of the County Court specified in, and subject to, that Practice Direction.".

Amendment of Part 36

4. In Part 36—

(a) in rule 36.20, for paragraph (1) substitute—

"(1) This rule applies where—

(a) a claim no longer continues under the RTA or EL/PL Protocol pursuant to rule 45.29A(1); or

(b) the claim is one to which the Pre-Action Protocol for Resolution of Package Travel Claims applies."; and

(b) in rule 36.21—

(i) for paragraph (1) substitute—

"(1) Where—

(a) a claim no longer continues under the RTA or EL/PL protocol pursuant to rule 45.29A(1); or

(b) the claim is one to which the Pre-Action Protocol for Resolution of Package Travel Claims applies,

rule 36.17 applies with the following modifications."; and

(ii) in paragraph (3), after "Subject to paragraphs (4) and (5), where" insert "in a claim to which paragraph (1)(a) applies,".

Amendment of Part 45

5. In Part 45—

(a) in the table of contents, in the entry for section IIIA, after "PRE-ACTION PROTOCOLS" insert "AND CLAIMS TO WHICH THE PRE-ACTION PROTOCOL FOR RESOLUTION OF PACKAGE TRAVEL CLAIMS APPLIES";

(b) in the heading to section IIIA, after "PRE-ACTION PROTOCOLS" insert "AND CLAIMS TO WHICH THE PRE-ACTION PROTOCOL FOR RESOLUTION OF PACKAGE TRAVEL CLAIMS APPLIES";

(c) in rule 45.29A, for paragraph (1) substitute—

"(1) Subject to paragraph (3), this section applies—

(a) to a claim started under—

(i) the Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents ('the RTA Protocol'); or

(ii) the Pre-Action Protocol for Low Value Personal Injury (Employers' Liability and Public Liability) Claims ('the EL/PL Protocol'),

where such a claim no longer continues under the relevant Protocol or the Stage 3 Procedure in Practice Direction 8B; and

(b) to a claim to which the Pre-Action Protocol for Resolution of Package Travel Claims applies.";