

2003 No. 375 (L. 6)

**SUPREME COURT OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES**

Court Funds (Amendment) Rules 2003

Made - - - - - *24th February 2003*

Laid before Parliament *28th February 2003*

Coming into force - - *1st April 2003*

The Lord Chancellor, in exercise of the power conferred upon him by section 38(7) of the Administration of Justice Act 1982(a), and with the concurrence of the Treasury, makes the following Rules:

Citation, commencement and interpretation

1. These Rules may be cited as the Court Funds (Amendment) Rules 2003 and shall come into force on 1st April 2003.
2. The Court Funds Rules 1987(b) shall be amended in accordance with the following provisions of these Rules and, in those provisions, a rule referred to by number alone means the rule so numbered in the Court Funds Rules 1987.

Amendments to the Court Funds Rules 1987

3. In rule 2—
 - (a) omit paragraph (1A); and
 - (b) in paragraph 2, omit the definition of “Suitors’ money”.
4. In rule 14—
 - (a) in paragraph 1—
 - (i) in sub-paragraph (ii)(b) for “RSC Order 92” substitute “CPR rule 37.5”; and
 - (ii) in sub-paragraph (iii) for “CCR Order 49, rule 20” substitute “CPR rule 37.5”;
and
 - (b) in paragraph 2 for “RSC Order 92, rule 1” substitute “CPR rule 37.5”.
5. In rule 15(1)—
 - (a) in paragraph (i) after “High Court” insert “or in a county court”; and
 - (b) in paragraph (iii) after “High Court” insert “or in a county court”.
6. In rule 16—
 - (a) in paragraph (1)—
 - (i) omit “in the Royal Courts of Justice”; and
 - (ii) after “National Saving Stock” insert “or money to be paid into court under rule 19”;

(a) 1982 c. 53.

(b) S.I. 1987/821; relevant amending instrument is S.I. 1999/1021.

- (b) in paragraph (5) for “into a District Registry or county court under rule 19” substitute “to which rule 19 applies”;
- (c) in paragraph (6) for “in the Royal Courts of Justice” substitute “under paragraph (1)”;
- (d) in paragraph (7) for “statute and” substitute “enactment, other than a payment to which rule 15 applies, and who”.

7.—(1) In the heading to rule 19 omit “suitors”.

(2) For rule 19 substitute—

“19—(1) A litigant in person without a current account may pay money into a District Registry or a county court in accordance with paragraph (2).

(2) Where paragraph 1 applies payment shall be made—

(i) in cash;

(ii) at the appropriate court office during office hours on any day on which the office is open; and

(iii) the court officer shall give a receipt for it.

(3) Payments shall be forwarded to the Accountant General within one working day of the date of receipt.”.

8. Omit rules 21 and 23.

9. In rule 24 omit “and, on receipt of such a notice, the Accountant General shall deal with it as if it had been transferred to him under Rule 31”.

10. In rule 25—

(a) omit paragraph (3); and

(b) for paragraph (5) substitute—

“(5) The Accountant General shall place money in the basic account 21 days after he has received the notice of appropriation, unless before that date he receives a request for payment from the claimant.”.

11. In rule 31—

(a) in paragraph (1) omit “, in the Royal Courts of Justice,”;

(b) omit paragraph (2);

(c) for paragraph (2A) substitute—

“(2A) Paragraph (1) shall not apply where a request for payment from the claimant is received within the 21 days specified in that paragraph.”;

(d) omit paragraph (3); and

(e) in paragraph (4)—

(i) for “paragraphs (2) or (3)” substitute “rules 16(7) or 19(3)”;

(ii) omit “, and on receipt of such a remittance and notice in the Court Funds Office, the Accountant General shall place the money to a basic account”.

12. In rule 32—

(a) in paragraph (1) for “under rule 31(2)” substitute “in satisfaction of a claim under rule 19(3)”;

(b) for paragraph (2) substitute—

“(2) Subject to paragraph (4), where money is paid into a District Registry or county court in such circumstances that it is to await the outcome of an order of court, whether it is paid into court as a condition of obtaining relief or otherwise, interest shall start to accrue from the effective date of payment into the District Registry or county court”; and

(c) for paragraph (4) substitute—

“(4) Where money has been—

(a) placed to a basic account under rule 31(1); and

(b) accepted by the claimant within the time limit specified in CPR rule 36.11, no interest shall be payable after the effective date of lodgment or appropriation, or where there has been more than one lodgment or appropriation, after the latest effective date of lodgment or appropriation.”.

13. Omit rule 50.

Irvine of Lairg ,C.

Dated 17th February 2003

We concur,

Nick Ainger

John Heppell

Two of the Lords Commissioners of
Her Majesty's Treasury

Dated 24th February 2003

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Courts Funds Rules 1987 so that payments into court under Parts 36 and 37 of the Civil Procedure Rules 1998 in claims proceeding in District Registries and county courts are treated in the same manner as payments into court in claims proceeding in the Royal Courts of Justice. Payments will no longer be made to the court but direct to the Court Funds Office. The only exception is where a litigant in person without a current account is making the payment. In these exceptional circumstances cash may be paid into the appropriate District Registry or county court and it will then be forwarded to the Court Funds Office within one working day.

Where an enactment directs payments to be made into a county court these payments may still be made at the appropriate court office, in cash or otherwise.

£1.75

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Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E0160 3/2003 130160 19585

ISBN 0-11-045147-3



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