

118th UPDATE – PRACTICE DIRECTION AMENDMENTS

The new Practice Direction 51ZA supplementing the Civil Procedure Rules 1998 is made by the Master of the Rolls under the powers delegated to him by the Lord Chief Justice under Schedule 2, Part 1, paragraph 2(2) of the Constitutional Reform Act 2005, and is approved by the Lord Chancellor.

The new Practice Direction comes into force on the day after the day on which it is approved.



The Right Honourable Sir Terence Etherton
Master of the Rolls and Head of Civil Justice
Date:

The Right Honourable Robert Buckland QC MP
Lord Chancellor:
Date:

PRACTICE DIRECTION 51ZA – EXTENSION OF TIME LIMITS AND CLARIFICATION OF PRACTICE DIRECTION 51Y - CORONAVIRUS

- 1) After Practice Direction 51Z insert Practice Direction 51ZA as set out in the Schedule to this Update.

SCHEDULE

PRACTICE DIRECTION 51ZA – EXTENSION OF TIME LIMITS AND CLARIFICATION OF PRACTICE DIRECTION 51Y - CORONAVIRUS

This Practice Direction supplements Part 51

1. This practice direction is made under rule 51.2 of the Civil Procedure Rules (“CPR”). It is intended to assess modifications to the rules and Practice Directions that may be necessary as a temporary measure during the Coronavirus pandemic to ensure that the administration of justice is carried out so as not to endanger public health. As such it

(a) makes provision for parties to agree extensions of time to comply with procedural time limits in the CPR, Practice Directions and court orders; and

(b) provides guidance to the court when considering applications for extensions of time and adjournments.

It further makes provision to clarify the meaning of paragraph 4 of Practice Direction 51Y. It ceases to have effect on 30 October 2020.

2. During the period in which this Direction is in force CPR rule.3.8 has effect as if in substitution for the reference to 28 days there was a reference to 56 days.

3. Any extension of time, whether agreed by the parties or on application by a party, beyond 56 days requires the permission of the court. An application for such permission will be considered by the court on the papers. Any order made on the papers must, on application, be reconsidered at a hearing.

4. In so far as compatible with the proper administration of justice, the court will take into account the impact of the Covid-19 pandemic when considering applications for the extension of time for compliance with directions, the adjournment of hearings, and applications for relief from sanctions.

5. In paragraph 4 of Practice Direction 51Y, the reference to ‘application’ in the final sentence is to be read as ‘request’. As such any person seeking permission to listen to or view a recording of a hearing is not required to make a formal application under CPR Part 23.