

## Annex C

### CROWN PROCEEDINGS Table of Destinations

#### CPR Schedule 1, RSC Order 77

Sections of the Act	RSC O. 77 rule	CPR rule	Concerning
	1	66.1	Provides the scope and interpretation of the rules
Sections 19 and 20	2	30.3(2)(h)	Provisions relating to venue
Section 35 (2)(b)	3(1) to (3)	16.2	The information to be included in the particulars of claim
Section 18	4	6.4(2A) and 6.5(8)	Specifies that documents may not be served on the Crown personally and that service must be effected on the solicitor acting for the relevant office of the Crown e.g. government department
Section 35(2)(g)	6(1) and (2) 6(3)	66.4	Deals with counter claims against the Crown
Section 35(2)(d)	7(1) 7(2)	24.4	Existing provisions precluding summary judgment on the Crown are to be amended.
Section 14	8(1) to (6)  8(7) 8(8) 8A	66.5(1) to (4)   19.3(2A)	Concerns summary applications to the Court in certain revenue matters. The power to decide cases without hearing (current Rule 8.6) is to be revoked and not replaced. Revoked in 1982 Not to be retained Concerns the Commissioners of Inland Revenue being made a party to the case.
Section 35(2)(c)	9		Concerns default judgments against the Crown. To be revoked CPR 12.10(a)(iii) revoked PD 12 para 2.3(5) deleted New rule 12.4 added
Section 35(2)(b)	10	66.4	Specifies that the permission of the court is required to bring a counterclaim against the Crown.
Section 35(2)(c)	11		To be revoked ???New rule 31.24 will apply to interpleader by virtue of RSC O.17 rule 10
	12(1) and (2)		Revoked in 1999
Section 28(1)	12(3) and (4)	66.3	Concerns who may provide disclosure and further information on behalf of the Crown.
Section 19 and 20	13	30.3(2)(h)	Modifies provisions relating to the choice of venue

	14		Concerns proceedings against the Crown to perpetuate testimony in certain case. To be revoked. Existing provisions in the CPR make adequate provision for this.
Section 25	15(1) and (2) 15(3)	66.6(1) and (2)	Concerns enforcement against the Crown. Concerns the form used and the rule is not to be reproduced
Section 27	16(1) 16(1A)  16(2) 16(2A) and (2B) 16(2C)  16(3)	66.7(1) and (2)  66.7(3) and (6) 66.7(4) and (5)  66.7(7)	Relates to money due from the Crown Rule 16(1A) specifies a minimum amount for any application made under this section of the Act and is not to be reproduced  Rule 16(2C) specifies that certain members of the judiciary only may hear applications. This is to be revoked and not reproduced in the new rules.
Section 92 of the Postal Services Act 2000	17	19.7B	Concerns proceedings about postal packages To be inserted in the CPR Part dealing with the addition and substitution of parties.
Sections 17(4) and 29	18		Makes provisions relating to applications made under sections 17 and 29 of the Act Rule 18 is to be revoked and not replaced.

**CPR Schedule 2, CCR Order 42**

<b>Act</b>	<b>CCR O. 42 rule</b>	<b>CPR rule</b>	<b>Notes</b>
	1	66.1	Provides the scope and interpretation of the rules
	2		Revoked in 1999
	3		Revoked in 1999
Section 35(2)(b)	4	66.3(2)	The information to be included in the particulars of claim
Section 35(2)(b)	5(1) and (2)	18(1)	About requiring additional information in proceedings against the Crown – provision is already contained in Rule 18(1)
Section 35(2)(c)	5(3) and (4)		Concerns default judgments against the Crown. To be revoked CPR 12.10(a)(iii) revoked PD 12 para 2.3(5) deleted PD 12 new para 5.3 added
Section 35(2)(d)	5(5)		Existing provisions precluding summary judgment on the Crown are to be revoked and not replaced.
	6	CPR 66.3(3) to (6) CPR 18.1	Concerning subsequent procedure in fixed date claims
Section 18	7(1) 7(2) 7(3)	6.4(2A) and 6.5(8)	Deals with service on the Crown Not to be reproduced
	8		Specifies that no order shall be made by the court against the Crown in certain circumstances - Rule 8 is to be revoked.
Section 35(2)(g)	9	66.4	Makes provisions relating to counter claims.
	10		Concerns the adjustment of liability under judgment for taxes and is to be revoked
Section 35(2)(g)	11(1) and (2) 11(1A)	66.4	Specifies that the permission of the court is required to bring counter claims against the Crown
Section 28(1)	12(1) 12(2) and (3)	66.2	Concerned with Disclosure against the Crown Revoked in 1999
Section 25	13(1) 13(2)	66.6(1)	Concerns enforcement against the Crown Concerns the form used and the rule is not to be reproduced. Not to be reproduced
Section 27	14(1) to (3) 14(4) and (5)	66.7(1) to (4) 66.7(6) and (7)	Makes provisions relating to attachment of debts etc.