



# Ministry of JUSTICE

## Claims Management Regulation Notice

### Submitting a claim with a County Court

It has been brought to our attention by Her Majesty's Court Service that some claims management businesses are not complying with the Civil Procedure Rules (CPR) when submitting a claim. The CPR govern the practice and procedure to be followed in courts, enabling them to manage cases coming to court and deal with them justly. This note is a reminder to those authorised businesses registered as providing regulated claims management services of the need to comply with the CPR when filing a claim form with a county court.

Part 6 of the CPR sets out the rules relating to address for service and this explicitly requires that only the details of a 'party' to the proceedings, i.e. the claimant themselves or a solicitor and, as from 1 October 2008, an authorised litigator (a person with a right to conduct litigation granted by an authorised body such as the Council for Licensed Conveyancers) can be entered on the claim form.

We understand that some businesses are incorrectly entering their business name and address in the space reserved for the claimant's name and address. If a claim form with incorrect details has already been submitted, it will need to be replaced with a correctly completed claim form immediately. Breach of the CPR could result in a claim being struck out of Court and loss of the Court Fee. It might also be viewed as a breach of our Conduct Rules relating to representation of clients.

### Rights of audience

The Compensation Act 2006 does not give the Claims Management Regulator any powers to grant or extend rights of audience or rights to conduct litigation before any court. However the [Lay Representative \(Rights of Audience\) Order 1999](#) provides that any person can exercise rights of audience in proceedings dealt with as a 'small claim' in accordance with rules of court and provides for the recovery of fee/costs in limited specified circumstances. We recommend that any business considering using these rights check with the relevant County Court before proceeding.

The Civil Procedure Rules can be found at  
[http://www.justice.gov.uk/civil/procrules\\_fin/index.htm](http://www.justice.gov.uk/civil/procrules_fin/index.htm).

The notes in the Conduct Rules will be amended in due course to clarify the position regarding representation of clients.