

Practice Note to PD51O Paragraph 1

This Practice Note provides clarification as to the documents which will no longer be accepted as email attachments but which must be submitted via Electronic Working (unless submitted on paper). It operates while that Direction is in the form which came into force on 3rd October 2016.

The word “submissions” should be taken to mean all those documents which are required by the rules or any practice direction to be filed on the court file. It does not mean normal day to day communications with the court such as those sending in draft orders or dealing with case management issues.

Nor (for the avoidance of doubt) does it mean documents such as skeleton arguments and chronologies which are submitted to any court for the determination of any hearing or paper application unless the court has directed that those documents be filed. Where any such document has been directed to be filed the parties must do so but may also (by way of exception to the Practice Direction) submit them by email to the listing officer or the judge’s clerk in question.

The court may direct that any document which is not required to be filed should in fact be filed, in which case it becomes a “submission” for the purposes of the Practice Direction.

The expression “trial judge” shall include any judge, Master or Registrar who is determining any matter at an oral hearing or on paper.

Practice Note approved by the Acting Chancellor, Mr Justice Mann, in concurrence with the Judge in Charge of the Commercial Court, Mr Justice Blair, and the Judge in Charge of the Technology and Construction Court, Mr Justice Coulson, on this day, 12th October 2016