

Unfair prejudice petition directions

Following consultation with the Chancery Modernisation Review Implementation Committee and users, with effect from 1 May 2015 until further notice, in respect of any unfair prejudice petition issued in the High Court (Rolls Building) for initial hearing before a registrar, the court will give automatic directions [in the form attached](#).

The rationale for doing so is as follows:

- (a) in a significant number of cases the directions given on the first return date of the petition are in standard form and are often agreed; automatic directions may therefore save costs as well as court time;
- (b) there can be no meaningful costs management until the issues between the parties have been defined, which requires, at least, an exchange of pleadings;
- (c) the court cannot engage in meaningful costs management without having some regard to what the parties believe the value in issue in the proceedings might be; for that reason the directions require the parties to provide a **non-binding** estimate of the value of the shares in issue.

The effectiveness of automatic directions will be reviewed from time to time, and any decision to continue to give automatic directions or revert to the previous practice of giving an initial return date before the court will be taken in the light of experience and any representations made by parties to unfair prejudice petitions or their advisers. Any comments or suggestions (whether positive or negative) should be sent to the chief registrar at rcjcompanies.orders@hmcts.gsi.gov.uk.

Chief Registrar Stephen Baister
1st May 2015