



Annex A

Draft Online Procedure Rules SI

The Online Procedure (Core Rules and Pilot Schemes) Rules 2026

Citation and commencement

1. These Rules may be cited as the Online Procedure (Core Rules and Pilot Schemes) Rules 2025, and come into force on DATE.

The Online Procedure Rules 2025

2. —(1) The Schedule to these Rules, which contains the Online Procedure Rules 2025, shall have effect.

(2) In the Online Procedure Rules 2025, any reference to “these Rules” means the Online Procedure Rules 2025 themselves, and any reference in those Rules to a rule by number alone means the rule so numbered in those Rules.

(3) The Online Procedure Rules 2025 apply to the types of proceedings listed in the first column of the table below. The date from which they apply to each type of proceedings is set out in the second column. The extent to which they apply (for example, whether they apply to all proceedings of that type or only proceedings which involve particular parties or are started after a particular date) is set out in the third column

Table

<i>Type of proceedings</i>	<i>Date from which Rules apply</i>	<i>Extent of application</i>
Property and possession	DATE	TBC

Practice directions for piloting new practice and procedure

3. —(1) Practice directions may establish pilot schemes for assessing new practice and procedure before provision for that practice and procedure is incorporated in any Online Procedure Rules, in accordance with paragraphs (2) and (3).

(2) If provision is not already made by any Online Procedure Rules, practice directions may make provision for the practice and procedure to be followed in any type of proceedings, for a specified period to enable that practice and procedure to be assessed.

(3) Practice directions may modify or disapply any Online Procedure or any provision of Online Procedure Rules—

- (a) for specified periods;
- (b) in relation to specified proceedings; and
- (c) in relation to proceedings in specified courts and tribunals,

during the operation of pilot schemes for assessing the use of new practice and procedure in connection with proceedings.

SCHEDULE

The Online Procedure Rules 2025

The Structure of the Online Procedure Rules

1. These Rules are in three parts:

- (a) Part 1 contains the principles governing all online proceedings.
- (b) Part 2 contains the core rules which apply to all online proceedings.
- (c) Part 3 contains additional rules which apply only to particular types of online proceedings.

PART 1

The Principles Governing all Online Proceedings

Online Proceedings

2. These Rules govern online proceedings. Online proceedings are the proceedings (specified in Part 3 of these Rules) which are initiated, conducted, progressed, or disposed of by electronic means under these Rules.

Digital Service

3. Everything in online proceedings to which these Rules apply shall be done by way of a digital service maintained by HMCTS on GOV.UK.

4. The digital service providing the platforms for online proceedings must be designed and maintained so as to be usable by all.

The Overriding Objective

5. The Overriding Objective of these Rules is to promote access to justice by enabling disputes to be resolved by digital means (before or after the start of legal proceedings) quickly, efficiently, fairly and at proportionate cost.

6. All those involved in online proceedings (courts, tribunals, His Majesty's Courts and Tribunals Service ("HMCTS"), online service providers and parties) must do all they can to achieve the Overriding Objective and to follow these principles.

7. The powers of the court or tribunal to achieve the Overriding Objective include –
- (a) active management of online proceedings so that they are dealt with quickly and fairly;
 - (b) making sure that all parties and witnesses, whether vulnerable or not, can fully participate in online proceedings and give their best evidence;
 - (c) making sure that all parties are on an equal footing and are treated fairly;
 - (d) promoting settlements of disputes and mediated solutions;
 - (e) finding ways to make sure that online proceedings are dealt with proportionately to the money involved, the importance and complexity of the case, the court's resources and the financial position of each party;
 - (f) enforcing compliance with rules, practice directions and court orders, and
 - (g) allowing reasonable public access to court and tribunal decision-making.

Duties of the parties to Online Proceedings

8. The parties to online proceedings have duties to:

- (a) help the court or tribunal to achieve the Overriding Objective;
- (b) take all reasonable and appropriate steps to settle their disputes;
- (c) cooperate fully with the court or tribunal's active case management of the online proceedings;
- (d) identify the issues that the court or tribunal needs to determine in online proceedings; and
- (e) act in good faith when dealing with the court, the tribunal and other parties.

Active case management of online proceedings by the court or tribunal

9. Active management of online proceedings by the court or tribunal includes:

- (a) directing or encouraging the parties to cooperate in the management and progression of online proceedings;
- (b) directing or encouraging the parties to use other methods to resolve their disputes and helping them use those methods;
- (c) helping the parties to reach agreement about all or part of the online proceedings;
- (d) fixing and controlling timetables to move the online proceedings forward;
- (e) considering and deciding whether the outcomes of a future step are justified by its cost;
- (f) making directions that enable the online proceedings to be resolved without the parties coming to court;
- (g) making full and effective use of technology;
- (h) holding hearings and receiving evidence by phone, video or other electronic means;
- (i) combining two or more sets of online proceedings into one, and dealing with more than one set of online proceedings together;
- (j) staying or pausing all or part of any online proceedings or judgment generally or until a specified future date or event;

(k) ordering a party to send the court or tribunal and the other parties a budget for the details of the costs they have spent or expect to spend on the online proceedings; and

(l) making any other order for the purpose of managing the case and furthering the overriding objective.

Identification and determination of issues

10. Active management of online proceedings by the court or tribunal also includes:

- (a) early identification of the issues that the court or tribunal needs to decide;
- (b) deciding promptly which issues merit a full hearing by the court or tribunal and which issues can and should be resolved more quickly;
- (c) deciding the order in which issues are to be resolved;
- (d) directing a separate hearing to determine any issue, or excluding an issue from determination;
- (e) dealing with as many parts of the online proceedings as possible on the same occasion; and
- (f) dismissing a claim or an issue in a claim or giving judgment in the online proceedings after a decision on an issue.

Time allowed for things to be done

11. The court or tribunal may—

- (a) allow more time or less time to follow a rule, practice direction or order, even if the request is made after a deadline has passed;
- (b) bring forward a hearing or postpone it, even if a hearing has started; and
- (c) require a party or their representative to attend the court or tribunal at a specified time.

Accessibility of the digital service

12. The digital service providing the platforms for online proceedings shall be designed and maintained so as to be usable by all.

13. All parties and witnesses, including those who are vulnerable, must be able to participate fully in online proceedings and provide their best evidence.

14. If an unrepresented party to online proceedings wishes to use non-electronic means to access online proceedings and to communicate with the court or tribunal, they (whether individuals or corporate entities) shall be able to do so, and shall be supported by systems provided by HMCTS.

15. Users of the digital service shall have access to plain language guidance, reasonable adjustments for disability and specific needs including measures to support effective participation, assisted digital support and non-digital alternatives where needed.

16. The digital service shall comply with technical specifications and data standards that are set out in practice directions and updated from time to time.

17. If the digital service is inoperative for any reason, no person is to be disadvantaged in online proceedings because they could not use the service during that time.

Early resolution

18. The digital service shall be designed, and the Rules shall be applied, so as to direct parties to online proceedings to the least burdensome or least costly means to resolve their dispute. Examples include online information, online advice, consensual online dispute resolution and adjudication (whether by a court or tribunal or some other method).

PART 2

Core rules

Content and Forms

19. Forms approved by the Online Procedure Rule Committee shall be incorporated into the content of the digital service, and must be used for the online proceedings to which they apply.

20. Approved forms shall also be published online by HMCTS and be available for downloading or printing.

21. The court or tribunal must supply, on request, a paper copy of an approved form (with relevant explanatory material) to a person who cannot obtain access to the forms published online.

Starting proceedings: requirement to use the digital service

22. All online proceedings must be started using the digital service by completing the form for that type of proceedings online (subject to rules 25 to 27) and paying the required court or tribunal fee (subject to rule 24).

23. When starting online proceedings, the information requested by the digital service must be provided.

Later steps in online proceedings: requirement to use digital service

24. All subsequent steps in online proceedings by any person (such as responding with a defence) must be taken using the digital service by completing the form for that step (subject to rules 26 to 28) and paying the required court or tribunal fee (subject to rule 24).

Unrepresented people who have applied for Help with Fees

25. Provision for any case where an unrepresented person has applied for Help with Fees in online proceedings is made by the practice direction which applies to that type of proceedings.

Use of non-electronic means by unrepresented persons

26. An unrepresented person may choose to start online proceedings, or take a subsequent step in online proceedings, by completing and submitting a paper copy of the form (provided under Rule 19) to HMCTS to upload the form onto the digital service.

27. HMCTS shall upload the form if the unrepresented person follows the instructions of HMCTS and (subject to Rules 24 and 25) pays the required court or tribunal fee.

28. Once online proceedings have started, an unrepresented party may choose to be notified of developments in those proceedings on paper.

Exercise of the powers of the court or tribunal

29. The court or tribunal may exercise its powers on an application or on its own initiative.

30. The court or tribunal's powers in online proceedings may be exercised by—

- (a) any judge of the court or tribunal;
- (b) a legal adviser or an authorised person, where these Rules or a practice direction allow; and
- (c) a court officer, where the act is purely formal or administrative.

Interpretation

31. In these Rules, unless the context requires or the Rules provide otherwise—

“authorised person” means a member of tribunal staff authorised by the Senior President of Tribunals under paragraph 3(3) of Schedule 5 to the Tribunals, Courts and Enforcement Act 2007;

“court officer” means a member of staff appointed under section 2(1) of the Courts Act 2003 or section 40(1) of the Tribunals, Courts and Enforcement Act 2007;

“legal adviser” means an authorised person or court officer who is—

- (i) a barrister;

(ii) a solicitor; or

(iii) a Fellow of the Chartered Institute of Legal Executives, or a CILEX lawyer,

32. Where any period of time for doing an act is specified in these Rules, a practice direction or a judgment or order of the court or tribunal—

(a) if the period is specified as a number of days, that must be calculated as “clear days”. This means that the day on which the period begins is not included, and that, if the period is defined by reference to an event, the day on which that event occurs is not included either;

(b) if the period is specified as 5 days or less, any of those days which falls on a Saturday or Sunday, a bank holiday, Christmas Day or Good Friday is not included;

(c) the last date provided in a judgment or order for doing an act must, wherever practicable, be expressed as a calendar date, and include the time of day by which the act must be done;

(d) if “month” is specified, it means a calendar month.

PART 3

Rules for specific types of proceedings

Property and possession proceedings

33. Rules for property and possession proceedings are set out in a practice direction titled “Online Procedure Rules for Property and Possession Proceedings”.