

SCHEDULES

SCHEDULE 1

AMENDMENTS RELATING TO THE RECOVERY FROM DAMAGES ETC OF SUMS EQUIVALENT TO BENEFIT

Interest on damages: reductions in respect of relevant payments

6 After paragraph 23 of that Schedule there shall be added—

“Interest on damages: reductions in respect of relevant payments

24 In assessing the amount of interest payable in respect of an award of damages, the amount of the award shall be treated as reduced by a sum equal to the amount of the relevant payment (if any) required to be made in connection with the payment of the damages and—

- (a) in England and Wales, if both special and general damages are awarded, any such reductions shall be treated as made first against the special damages and then, as respects any remaining balance, against the general damages; and
- (b) in Scotland, if damages are awarded both for patrimonial loss and for solatium, any such reductions shall be treated as made first against the damages for patrimonial loss and then, as respects any remaining balance, against the damages for solatium.”