
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 41

PROVISIONAL DAMAGES

Application and definitions

41.1.—(1) This Part applies to proceedings to which SCA s.32A or CCA s.51 applies.

(2) In this Part—

- (a) “SCA s.32A” means section 32A of the Supreme Court Act 1981⁽¹⁾;
- (b) “CCA s.51” means section 51 of the County Courts Act 1984⁽²⁾; and
- (c) “award of provisional damages” means an award of damages for personal injuries under which—
 - (i) damages are assessed on the assumption referred to in SCA s.32A or CCA s.51 that the injured person will not develop the disease or suffer the deterioration; and
 - (ii) the injured person is entitled to apply for further damages at a future date if he develops the disease or suffers the deterioration.

⁽¹⁾ 1981 c. 54. Section 32A was inserted by section 6(1) of the Administration of Justice Act 1982 (c. 53)

⁽²⁾ 1984 c. 28.