
STATUTORY INSTRUMENTS

2005 No. 841

The Damages (Variation of Periodical Payments) Order 2005

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Damages (Variation of Periodical Payments) Order 2005 and shall come into force on the fourteenth day after the day on which it is made.

(2) In this Order —

- (a) “the Act” means the Damages Act 1996;
- (b) “agreement” means an agreement by parties to a claim or action for damages which settles the claim or action and which provides for periodical payments;
- (c) “damages” means damages for future pecuniary loss in respect of personal injury;
- (d) “defence society” means the Medical Defence Union or the Medical Protection Society;
- (e) “variable agreement” means an agreement which contains a provision referred to in Article 9(1);
- (f) “variable order” means an order for periodical payments which contains a provision referred to in Article 2.

(3) In the application of this Order to Northern Ireland —

- (a) “claimant” means plaintiff;
- (b) “permission” means leave;
- (c) “statements of case” means, in the High Court, the writ and pleadings and, in the county court, the civil bill and any notice of intention to defend, defence, notice for particulars, replies and counterclaim.

(4) This Order extends to England and Wales and Northern Ireland.

(5) This Order applies to proceedings begun on or after the date on which it comes into force.