
STATUTORY INSTRUMENTS

2005 No. 841

The Damages (Variation of Periodical Payments) Order 2005

Order for variation

13.—(1) On an application for the variation of a variable order or a variable agreement, if the court is satisfied —

- (a) that the disease, deterioration or improvement specified in the order or agreement has occurred, and
- (b) that it has caused or is likely to cause an increase or decrease in the pecuniary loss suffered by the claimant,

it may order —

- (i) the amount of annual payments to be varied, either from the date of the application for permission or from the date of the application to vary if the order did not require the permission of the court for an application to vary, or from such later date as it may specify in the order;
- (ii) how each payment is to be made during the year and at what intervals;
- (iii) a lump sum to be paid in addition to the existing periodical payments.

(2) Section 2(3) to (9) of the Act applies to orders under this Order as it applies to orders for periodical payments.