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STATUTORY INSTRUMENTS

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**2006 No. 3435**

**The Civil Procedure (Amendment No.3) Rules 2006**

**Amendment to the Civil Procedure Rules 1998**

**13. In Part 52—**

- (a) in rule 52.12(1), for “or Part 36 payment” substitute “or payment into court”;
- (b) in rule 52.12(2), for “or Part 36 payment” substitute “or payment into court”;
- (c) in rule 52.12(3), for “or Part 36 payment” substitute “or payment into court”; and
- (d) after rule 52.12, insert the following—

“(Rule 36.3 has the effect that a Part 36 offer made in proceedings at first instance will not have consequences in any appeal proceedings. Therefore, a fresh Part 36 offer needs to be made in appeal proceedings. However, rule 52.12 applies to a Part 36 offer whether made in the original proceedings or in the appeal.)”.