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STATUTORY INSTRUMENTS

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**2004 No. 3129**

**The Civil Procedure (Amendment No. 3) Rules 2004**

**Amendment to the Civil Procedure Rules 1998**

6. In rule 36.10—
- (a) in paragraph (3) for “If the offeror” substitute “Subject to paragraph (3A), if the offeror”;
  - (b) after paragraph (3) insert—
    - “(3A) In a claim to which rule 36.2A applies, if the offeror is a defendant who wishes to offer to pay the whole or part of any damages in the form of a lump sum—
    - (a) he must make a Part 36 payment within 14 days of service of the claim form; and
    - (b) the amount of the payment must be not less than the lump sum offered before proceedings began.”;
  - (c) in paragraph (4)(b) after “paragraph (3)” insert “or (3A)”.