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STATUTORY INSTRUMENTS

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**2012 No. 3098**

**The Civil Legal Aid (Procedure) Regulations 2012**

**PART 4**

**Licensed Work**

**Supporting documents: damages**

**32.**—(1) Where an application for Licensed Work requires the Director to consider likely damages (in accordance with regulations made under section 11 of the Act), the application must include—

- (a) an estimate of likely damages; and
  - (b) an explanation of the estimate, including the calculations required by paragraph (2).
- (2) An estimate of likely damages must take into account—
- (a) any likely reduction in the damages or other sum of money contested in the case through contributory negligence, set-off or otherwise;
  - (b) any amount of damages the individual is likely to receive in addition to any amount that is offered by way of settlement;
  - (c) any likely reduction in damages or other sum of money contested in the case to take account of any amount which is recoverable under the Social Security (Recovery of Benefits) Act 1997<sup>(1)</sup>; and
  - (d) the ability of the other party to the proceedings to pay any damages or other sum of money contested in the case.

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<sup>(1)</sup> 1997 c. 27.