
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 36
OFFERS TO SETTLE

SECTION 1

Part 36 Offers to Settle

CLARIFYING, WITHDRAWING AND CHANGING THE TERMS OF OFFERS

[^{F1}Withdrawing or changing the terms of a Part 36 offer before the expiry of the relevant period

36.10.—(1) Subject to rule 36.9(1), this rule applies where the offeror serves notice before expiry of the relevant period of withdrawal of the offer or change of its terms to be less advantageous to the offeree.

(2) Where this rule applies—

- (a) if the offeree has not served notice of acceptance of the original offer by the expiry of the relevant period, the offeror's notice has effect on the expiry of that period; and
- (b) if the offeree serves notice of acceptance of the original offer before the expiry of the relevant period, that acceptance has effect unless the offeror applies to the court for permission to withdraw the offer or to change its terms—
 - (i) within 7 days of the offeree's notice of acceptance; or
 - (ii) if earlier, before the first day of trial.

(3) On an application under paragraph (2)(b), the court may give permission for the original offer to be withdrawn or its terms changed if satisfied that there has been a change of circumstances since the making of the original offer and that it is in the interests of justice to give permission.]

Textual Amendments

- F1** Pt. 36 substituted (6.4.2015) by [The Civil Procedure \(Amendment No. 8\) Rules 2014 \(S.I. 2014/3299\)](#), rule 2(c), [Sch. 1](#) (with rule 18)

Status:

Point in time view as at 06/04/2015.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 36.10.