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## STATUTORY INSTRUMENTS

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# 1998 No. 3132

## The Civil Procedure Rules 1998

### [<sup>F1</sup>PART 36 **E+W**

#### OFFERS TO SETTLE

#### [<sup>F1</sup>Acceptance of a Part 36 offer made by one or more, but not all, defendants **E+W**

**36.12.**—(1) This rule applies where the claimant wishes to accept a Part 36 offer made by one or more, but not all, of a number of defendants.

(2) If the defendants are sued jointly or in the alternative, the claimant may accept the offer if—

- (a) he discontinues his claim against those defendants who have not made the offer; and
- (b) those defendants give written consent to the acceptance of the offer.

(3) If the claimant alleges that the defendants have a several liability (GL) to him, the claimant may—

- (a) accept the offer; and
- (b) continue with his claims against the other defendants if he is entitled to do so.

(4) In all other cases the claimant must apply to the court for an order permitting him to accept the Part 36 offer.]

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#### Textual Amendments

**F1** Pt. 36 substituted (6.4.2007) by [The Civil Procedure \(Amendment No.3\) Rules 2006 \(S.I. 2006/3435\)](#), rule 1, [Sch. 1](#) (with rule 7(2)-(7))

**Status:**

Point in time view as at 06/04/2007. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 36.12.