
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 36

OFFERS TO SETTLE

SECTION I

Part 36 Offers to Settle

GENERAL

[^{F1}Scope of this Section

36.2.—(1) [^{F2}This Section—

- (a) applies to an offer to settle to which Section II of this Part applies, unless otherwise stated; but
- (b) does not apply to an offer to settle to which Section III applies.]

(2) Nothing in this Section prevents a party making an offer to settle in whatever way that party chooses, but if the offer is not made in accordance with rule 36.5, it will not have the consequences specified in this Section.

(Rule 44.2 requires the court to consider an offer to settle that does not have the costs consequences set out in this Section in deciding what order to make about costs.)

- (3) A Part 36 offer may be made in respect of the whole, or part of, or any issue that arises in—
 - (a) a claim, counterclaim or other additional claim; or
 - (b) an appeal or cross-appeal from a decision made at a trial.

(Rules 20.2 and 20.3 provide that counterclaims and other additional claims are treated as claims and that references to a claimant or a defendant include a party bringing or defending an additional claim.)]

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](#))
- F2** Rule 36.2(1) substituted (1.10.2023) by [The Civil Procedure \(Amendment No. 2\) Rules 2023 \(S.I. 2023/572\)](#), [rules 1\(1\)](#), [12\(3\)](#) (with [rule 2](#))

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 36.2.