
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 36

OFFERS TO SETTLE

[^{F2}SECTION II

RTA PROTOCOL OFFERS TO SETTLE

[^{F1}]^{F2}**Costs consequences following judgment**

36.21.—(1) This rule applies where, on the determination by the court, the claimant obtains judgment against the defendant for an amount of damages that is—

- (a) less than or equal to the amount of the defendant's RTA Protocol offer;
- (b) more than the defendant's RTA Protocol offer but less than the claimant's RTA Protocol offer; or
- (c) equal to or more than the claimant's RTA Protocol offer.

(2) Where paragraph (1)(a) applies, the court will order the claimant to pay—

- (a) the fixed costs in rule 45.38; and
- (b) interest on those fixed costs from the first business day after the deemed date of the RTA Protocol offer under rule 36.18.

(3) Where paragraph (1)(b) applies, the court will order the defendant to pay the fixed costs in rule 45.32.

(4) Where paragraph (1)(c) applies, the court will order the defendant to pay—

- (a) interest on the whole of the damages awarded at a rate not exceeding 10% above base rate for some or all of the period starting with the date specified in rule 36.18;
- (b) the fixed costs in rule 45.32; and
- (c) interest on those costs at a rate not exceeding 10% above base rate.]]

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))

F2 Pt. 36 Section 2 inserted (30.4.2010) by [The Civil Procedure \(Amendment\) Rules 2010 \(S.I. 2010/621\)](#), rule 1(2), [Sch. 1](#)

Status:

Point in time view as at 30/04/2010. This version of this provision has been superseded.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 36.21.