
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 37

MISCELLANEOUS PROVISIONS ABOUT PAYMENTS INTO COURT

Money paid into court where defendant wishes to rely on defence of tender before claim

37.3.—(1) Where a defendant wishes to rely on a defence of tender before claim^(GL) he must make a payment into court of the amount he says was tendered.

(2) If the defendant does not make a payment in accordance with paragraph (1) the defence of tender before claim^(GL) will not be available to him until he does so.

(3) Where the defendant makes such payment into court—

- (a) he may choose to treat the whole or any part of the money paid into court as a Part 36 payment; and
- (b) if he does so, he must file a Part 36 payment notice.

Commencement Information

II [Rule 37.3](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 06/04/2006. This version of this provision has been superseded.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 37.3.