
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 41

[^{F1}DAMAGES]

***[^{F1}I – PROCEEDINGS TO WHICH SECTION 32A OF THE SUPREME COURT
ACT 1981 OR SECTION 51 OF THE COUNTY COURTS ACT 1984 APPLIES]***

Application and definitions

41.1.—(1) [^{F1}This Section of this Part] applies to proceedings to which SCA s.32A or CCA s.51 applies.

(2) In this [^{F2}Section]—

- (a) “SCA s.32A” means section 32A of the Supreme Court Act 1981(1);
- (b) “CCA s.51” means section 51 of the County Courts Act 1984(2); and
- (c) “award of provisional damages” means an award of damages for personal injuries under which—
 - (i) damages are assessed on the assumption referred to in SCA s.32A or CCA s.51 that the injured person will not develop the disease or suffer the deterioration; and
 - (ii) the injured person is entitled to apply for further damages at a future date if he develops the disease or suffers the deterioration.

Textual Amendments

F1 Words in rule 41.1(1) substituted (1.4.2005) by [The Civil Procedure \(Amendment No. 3\) Rules 2004 \(S.I. 2004/3129\)](#), rules 1, **11(b)(i)**

F2 Word in rule 41.1(2) substituted (1.4.2005) by [The Civil Procedure \(Amendment No. 3\) Rules 2004 \(S.I. 2004/3129\)](#), rules 1, **11(b)(ii)**

Commencement Information

I1 [Rule 41.1](#) in force at 26.4.1999, see [Signature](#)

(1) 1981 c. 54. Section 32A was inserted by section 6(1) of the Administration of Justice Act 1982 (c. 53)
(2) 1984 c. 28.

Status:

Point in time view as at 01/10/2007.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 41.1.