

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 for further damages

41.3.—(1) The claimant may not make an application for further damages after the end of the period specified under rule 41.2(2), or such period as extended by the court.

(2) Only one application for further damages may be made in respect of each disease or type of deterioration specified in the award of provisional damages.

(3) The claimant must give at least 28 days written notice to the defendant of his intention to apply for further damages.

(4) If the claimant knows—

(a) that the defendant is insured in respect of the claim; and

(b) the identity of the defendant’s insurers,

he must also give at least 28 days written notice to the insurers.

(5) Within 21 days after the end of the 28 day notice period referred to in paragraphs (3) and (4), the claimant must apply for directions.

^{F1}(6)

Textual Amendments

F1 Rule 41.3(6) omitted (1.4.2005) by virtue of [The Civil Procedure \(Amendment No. 4\) Rules 2004 \(S.I. 2004/3419\)](#), rules 1, 7

Commencement Information

I1 Rule 41.3 in force at 26.4.1999, see [Signature](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 41.3.