
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 41

[^{F1}DAMAGES]

[^{F1}II – PERIODICAL PAYMENTS UNDER THE DAMAGES ACT 1996

[^{F1}Continuity of payment

41.9.—(1) An order for periodical payments shall specify that the payments must be funded in accordance with section 2(4) of the 1996 Act, unless the court orders an alternative method of funding.

(2) Before ordering an alternative method of funding, the court must be satisfied that—

- (a) the continuity of payment under the order is reasonably secure; and
- (b) the criteria set out in [^{F2}Practice Direction 41B] are met.

(3) An order under paragraph (2) must specify the alternative method of funding.]

Textual Amendments

F1 Pt. 41 Section 2 inserted (1.4.2005) by [The Civil Procedure \(Amendment No. 3\) Rules 2004 \(S.I. 2004/3129\)](#), rule 1, [Sch. 1 Pt. 2](#)

F2 Words in rule 41.9(2)(b) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), [21](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 41.9.