

SCHEDULE 5

PART 52

APPEALS

Non-disclosure of Part 36 offers and payments

52.12.—(1) The fact that a Part 36 offer or Part 36 payment has been made must not be disclosed to any judge of the appeal court who is to hear and finally determine an appeal until all questions (other than costs) have been determined.

(2) Paragraph (1) does not apply if the Part 36 offer or Part 36 payment is relevant to the substance of the appeal.

(3) Paragraph (1) does not prevent disclosure in any application in the appeal proceedings if disclosure of the fact that a Part 36 offer or Part 36 payment has been made is properly relevant to the matter to be decided.