
STATUTORY INSTRUMENTS

2005 No. 841

The Damages (Variation of Periodical Payments) Order 2005

Case file

8.—(1) Where the court makes a variable order, the case file documents must be preserved by the court until the end of the period or periods specified under Article 5(c) or (d) or of any extension of them or, if no such period was specified, until the death of the claimant.

(2) The case file documents are, unless the court otherwise orders —

- (a) the judgment as entered;
- (b) the statements of case;
- (c) the schedule of expenses and losses;
- (d) a transcript of the judge's oral judgment;
- (e) all medical reports relied on;
- (f) a transcript of any parts of the claimant's own evidence which the judge considers necessary;
- (g) any subsequent orders.

(3) A court officer must ensure that the case file documents are provided by the parties where necessary and filed on the court file.

(4) Where a variable order has been made, the legal representatives of the parties and, if the parties are insured, their insurers, must also preserve their own case file until the end of the period or periods specified under Article 5(c) or (d) or of any extension of them or, if no such period was specified, until the death of the claimant.