

Notice of offer to settle - Part 36

Name of court *(If proceedings have started)*

Claim No.
(or other ref)

Claimant
(including ref)

Defendant
(including ref)

To the Offeree ('s Solicitor) *(Insert name and address)*

Take notice the (defendant)(claimant) offers to settle the claim. This offer is intended to have the consequences of Part 36. If the offer is accepted within _____ days (must be at least 21 days) of service of this notice the defendant will be liable for the claimant's costs in accordance with Rule 36.10 of the Civil Procedure Rules.

The offer is to settle:

(tick as appropriate)

- the whole of the claim
- part of the claim *(give details below)*
- a certain issue or issues in the claim *(give details below)*

The offer is:

(Insert details - expand box as necessary)

Note: Rule 36.5 specifies details that must be included in an offer including periodical payments of damages for future pecuniary loss.

Rule 36.11 requires that an offer by a defendant to pay a sum of money (other than periodical payments) must be paid within 14 days of acceptance.

- It (does)(does not) take into account all(part) of the following counterclaim:

(give details of the counterclaim)

Include only if claim for provisional damages

The offer is made in satisfaction of the claim on the assumption that the claimant will not [develop (state the disease)] **OR** [suffer (state type of deterioration)].

But if that does occur, the claimant will be entitled to claim further damages at any time before (insert date).

OR

This offer does not include an offer in respect of the claim for provisional damages.

To be completed by defendants only

This offer is made without regard to any liability for recoverable benefits under the Social Security (Recovery of Benefits Act) 1997.

OR

This offer is intended to include any relevant deductible benefits for which I am liable under the Social Security (Recovery of Benefits Act) 1997.

The amount of [£] is offered by way of gross compensation.

[I have not yet received a certificate of recoverable benefits]

OR

[The following amounts in respect of the following benefits are to be deducted (insert details).

Type of benefit	Amount
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The net amount offered is therefore [£]]

Signed

Offeror('s solicitor)

Position held
(If signing on
behalf of a firm
or company)

Date