

ROYAL COURT OF JERSEY

RC17/10

Offers to Settle

1. Any party may make an offer to settle all or any part of a dispute or any procedural application at any time.
2. Any offer must be in plain English, must set out the terms of the offer clearly and must identify the possible consequences for the other party if the offer is not accepted including costs orders that may be made against the other party.
3. The party making the offer may reserve the right to refer to its offer in submissions to the Court (including the Judicial Greffier) where any subsequent question of costs arises whether on a procedural application or following a trial.
4. Where the Court is asked to take into account an offer to settle on a question of costs, an offer to settle made in compliance with this practice direction will generally have the same effect as a payment into court where the criteria set out in Cole v The Chief Officer of The States of Jersey Police [2008] JLR Note 47 have been met namely:-
 - a. the offer must set out the parts of the claim or counterclaim or issue to which it applies and whether it takes account of any counterclaim and whether or not it includes interest;
 - b. the offer must be open for a reasonable time;
 - c. the offer must be genuine and not a sham;
 - d. the person making the offer must be good for the money when the offer is made.

This practice direction shall come into force on 1st June 2017.