



# Criminal Justice and Courts Act 2015

## 2015 CHAPTER 2

### PART 3

#### COURTS AND TRIBUNALS

##### *Civil proceedings relating to personal injury*

#### **59 Effect of rules against inducements**

- (1) The relevant regulator must ensure that it has appropriate arrangements for monitoring and enforcing the restriction imposed on regulated persons by section 58.
- (2) A regulator may make rules for the purposes of subsection (1).
- (3) The rules may in particular provide that, in relation to anything done in breach of that section, the relevant regulator may exercise any powers that the regulator would have in relation to anything done by the regulated person in breach of another restriction (subject to subsection (4)).
- (4) A breach of section 58—
  - (a) does not make a person guilty of an offence, and
  - (b) does not give rise to a right of action for breach of statutory duty.
- (5) Subsection (6) applies in a case where—
  - (a) a regulated person has offered a benefit to a person or is treated as having done so under section 58(4), and
  - (b) it appears to the regulator that the offer of the benefit is an inducement to make a claim as mentioned in section 58(1)(b).
- (6) Rules under subsection (2) may provide for the offer of the benefit to the person to be treated as an inducement to make a claim as mentioned in section 58(1)(b) unless the regulated person shows—

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Section 59. (See end of Document for details)*

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- (a) that the benefit was offered for a reason other than encouraging the person to make a claim or to seek advice from a regulated person with a view to making a claim, or
- (b) that the benefit is related to the provision of legal services in connection with the claim (see regulations under section 58(5)).

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**Commencement Information**

**II** S. 59 in force at 13.4.2015 by S.I. 2015/778, art. 3, Sch. 1 para. 49

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Section 59.