
STATUTORY INSTRUMENTS

2000 No. 692

The Conditional Fee Agreements Regulations 2000

Information to be given before conditional fee agreements made

- 4.—(1) Before a conditional fee agreement is made the legal representative must—
- (a) inform the client about the following matters, and
 - (b) if the client requires any further explanation, advice or other information about any of those matters, provide such further explanation, advice or other information about them as the client may reasonably require.
- (2) Those matters are—
- (a) the circumstances in which the client may be liable to pay the costs of the legal representative in accordance with the agreement,
 - (b) the circumstances in which the client may seek assessment of the fees and expenses of the legal representative and the procedure for doing so,
 - (c) whether the legal representative considers that the client's risk of incurring liability for costs in respect of the proceedings to which agreement relates is insured against under an existing contract of insurance,
 - (d) whether other methods of financing those costs are available, and, if so, how they apply to the client and the proceedings in question,
 - (e) whether the legal representative considers that any particular method or methods of financing any or all of those costs is appropriate and, if he considers that a contract of insurance is appropriate or recommends a particular such contract—
 - (i) his reasons for doing so, and
 - (ii) whether he has an interest in doing so.
- (3) Before a conditional fee agreement is made the legal representative must explain its effect to the client.
- (4) In the case of an agreement where—
- (a) the legal representative is a body to which section 30 of the Access to Justice Act 1999⁽¹⁾ (recovery where body undertakes to meet costs liabilities) applies, and
 - (b) there are no circumstances in which the client may be liable to pay any costs in respect of the proceedings,
- paragraph (1) does not apply.
- (5) Information required to be given under paragraph (1) about the matters in paragraph (2)(a) to (d) must be given orally (whether or not it is also given in writing), but information required to be so given about the matters in paragraph (2)(e) and the explanation required by paragraph (3) must be given both orally and in writing.
- (6) This regulation does not apply in the case of an agreement between a legal representative and an additional legal representative.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
