
STATUTORY INSTRUMENTS

2013 No. 609

The Damages-Based Agreements Regulations 2013

Information required to be given before an agreement is made in an employment matter

5.—(1) In an employment matter, the requirements prescribed for the purposes of section 58AA(4)(d) of the Act are to provide—

- (a) information to the client in writing about the matters in paragraph (2); and
- (b) such further explanation, advice or other information about any of those matters as the client may request.

(2) Those matters are—

- (a) the circumstances in which the client may seek a review of costs and expenses of the representative and the procedure for doing so;
- (b) the dispute resolution service provided by the Advisory, Conciliation and Arbitration Service (ACAS) in regard to actual and potential claims;
- (c) whether other methods of pursuing the claim or financing the proceedings, including—
 - (i) advice under the Community Legal Service,
 - (ii) legal expenses insurance,
 - (iii) pro bono representation, or
 - (iv) trade union representation,

are available, and, if so, how they apply to the client and the claim or proceedings in question; and

- (d) the point at which expenses become payable; and
- (e) a reasonable estimate of the amount that is likely to be spent upon expenses, inclusive of VAT.