

ELIZABETH II



Litigants in Person (Costs and Expenses) Act 1975

1975 CHAPTER 47

An Act to make further provision as to the costs or expenses recoverable by litigants in person in civil proceedings.

[1st August 1975]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Where, in any proceedings to which this subsection applies, any costs of a litigant in person are ordered to be paid by any other party to the proceedings or in any other way, there may, subject to rules of court, be allowed on the taxation or other determination of those costs sums in respect of any work done, and any expenses and losses incurred, by the litigant in or in connection with the proceedings to which the order relates. Costs or expenses recoverable.

This subsection applies to civil proceedings—

- (a) in a county court, in the Supreme Court or in the House of Lords on appeal from the High Court or the Court of Appeal,
- (b) before the Lands Tribunal or the Lands Tribunal for Northern Ireland, or
- (c) in or before any other court or tribunal specified in an order made under this subsection by the Lord Chancellor.

(2) Where, in any proceedings to which this subsection applies, any costs or expenses of a party litigant are ordered to be paid by any other party to the proceedings or in any other way, there may, subject to rules of court, be allowed on the taxation or other determination of those costs or expenses sums in respect of any work done, and any outlays and losses incurred, by the

litigant in or in connection with the proceedings to which the order relates.

This subsection applies to civil proceedings—

- (a) in the sheriff court, the Scottish Land Court, the Court of Session or the House of Lords on appeal from the Court of Session,
- (b) before the Lands Tribunal for Scotland, or
- (c) in or before any other court or tribunal specified in an order made under this subsection by the Lord Advocate.

(3) An order under subsection (1) or (2) above shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) In this section “ rules of court ”—

- (a) in relation to the Lands Tribunal or the Lands Tribunal for Scotland, means rules made under section 3 of the Lands Tribunal Act 1949,
- (b) in relation to the Lands Tribunal for Northern Ireland, means rules made under section 9 of the Lands Tribunal and Compensation Act (Northern Ireland) 1964, and
- (c) in relation to any other tribunal specified in an order made under subsection (1) or (2) above, shall have the meaning given by the order as respects that tribunal.

(5) In the application of subsection (1) above to Northern Ireland, the expressions “ county court ”, “ the Supreme Court ”, “ the High Court ” and “ the Court of Appeal ” shall have the meanings respectively assigned to them by section 29(1) of the Northern Ireland Act 1962.

1949 c. 42.

1964 c. 29
(N.I.).

1962 c. 30.

Short title,
commence-
ment and
extent.

2.—(1) This Act may be cited as the Litigants in Person (Costs and Expenses) Act 1975.

(2) This Act shall come into operation—

- (a) in relation to England and Wales and Northern Ireland, on such day as the Lord Chancellor may by order made by statutory instrument appoint, and
- (b) in relation to Scotland, on such day as the Lord Advocate may by order made by statutory instrument appoint.

(3) An order under subsection (2) above—

- (a) may appoint different days for different purposes, and
- (b) may make such transitional provision as appears to the Lord Chancellor or, as the case may be, the Lord Advocate to be necessary or expedient.

(4) This Act extends to Northern Ireland.

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