



Criminal Justice and Courts Act 2015

2015 CHAPTER 2

PART 3

COURTS AND TRIBUNALS

Civil proceedings relating to personal injury

58 Rules against inducements to make personal injury claims

- (1) A regulated person is in breach of this section if—
 - (a) the regulated person offers another person a benefit or is treated as doing so under subsection (4),
 - (b) the offer of the benefit is an inducement to make a claim in civil proceedings for—
 - (i) damages for personal injury or death, or
 - (ii) damages arising out of circumstances involving personal injury or death, and
 - (c) the benefit is not related to the provision of legal services in connection with the claim.
- (2) An offer of a benefit to another person is an inducement to make a claim if the offer of the benefit—
 - (a) is intended to encourage the person to make a claim or to seek advice from a regulated person with a view to making a claim, or
 - (b) is likely to have the effect of encouraging the person to do so.
- (3) An offer of a benefit may be an inducement to make a claim regardless of—
 - (a) when or by what means the offer is made,
 - (b) whether the receipt of the benefit pursuant to the offer is subject to conditions,
 - (c) when the benefit may be received pursuant to the offer, or
 - (d) whether the benefit may be received by the person to whom the offer is made or by a third party.

Status: This is the original version (as it was originally enacted).

- (4) If a person other than a regulated person offers a benefit in accordance with arrangements made by or on behalf of a regulated person—
- (a) the regulated person is to be treated as offering the benefit, and
 - (b) the offer of the benefit is to be treated as satisfying subsection (2)(a) if the arrangements were intended to encourage people to make claims or seek advice from a regulated person with a view to making a claim.
- (5) The Lord Chancellor may by regulations make provision as to the circumstances in which a benefit is related to the provision of legal services in connection with a claim, including provision about benefits relating to—
- (a) fees to be charged in respect of the legal services,
 - (b) expenses which are or would be necessarily incurred in connection with the claim, or
 - (c) insurance to cover legal costs and expenses in connection with the claim.