



# Solicitors Act 1974

## 1974 CHAPTER 47

### PART III

#### REMUNERATION OF SOLICITORS

##### *Remuneration—general*

#### **69 Action to recover solicitor's costs.**

- (1) Subject to the provisions of this Act, no action shall be brought to recover any costs due to a solicitor before the expiration of one month from the date on which a bill of those costs is delivered in accordance with the requirements mentioned in subsection (2); but if there is probable cause for believing that the party chargeable with the costs—
- (a) is about to quit England and Wales, to become bankrupt or to compound with his creditors, or
  - (b) is about to do any other act which would tend to prevent or delay the solicitor obtaining payment,

the High Court may, notwithstanding that one month has not expired from the delivery of the bill, order that the solicitor be at liberty to commence an action to recover his costs and may order that those costs be taxed.

- (2) The requirements referred to in subsection (1) are that the bill—
- (a) must be signed by the solicitor, or if the costs are due to a firm, by one of the partners of that firm, either in his own name or in the name of the firm, or be enclosed in, or accompanied by, a letter which is so signed and refers to the bill; and
  - (b) must be delivered to the party to be charged with the bill, either personally or by being sent to him by post to, or left for him at, his place of business, dwelling-house, or last known place of abode;

and, where a bill is proved to have been delivered in compliance with those requirements, it shall not be necessary in the first instance for the solicitor to prove the contents of the bill and it shall be presumed, until the contrary is shown, to be a bill bona fide complying with this Act.

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

**Changes to legislation:** *There are currently no known outstanding effects for the Solicitors Act 1974, Section 69. (See end of Document for details)*

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(3) Where a bill of costs relates wholly or partly to contentious business done in a county court and the amount of the bill does not exceed [<sup>F1</sup>the county court limit], the powers and duties of the High Court under this section and sections 70 and 71 in relation to that bill may be exercised and performed by any county court in which any part of the business was done.

[<sup>F2</sup>(4) In the preceding subsection “the county court limit” means the county court limit for the time being specified by an Order in Council under [<sup>F3</sup>section 145 of the County Courts Act 1984]as the county court limit for the purposes of that subsection.]

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**Textual Amendments**

- F1** Words substituted by virtue of Administration of Justice Act 1982 (c. 53, SIF 34), s. 37, Sch. 3 paras. 2, 3(b)(iii)
- F2** S. 69(4) inserted by Administration of Justice Act 1982 (c. 53, SIF 34), s. 37, **Sch. 3 para. 4(c)**
- F3** Words substituted by County Courts Act 1984 (c. 28, SIF 34), s. 148(1), **Sch. 2 para. 50**
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**Modifications etc. (not altering text)**

- C1** Ss. 64, 65, 67, 69(1) extended (*prosp.*) by Administration of Justice Act 1985 (c. 61, SIF 34), ss. 9, 69(2), **Sch. 2 para. 22(2)**
- C2** S. 69(2) modified (*prosp.*) by Administration of Justice Act 1985 (c. 61, SIF 34), ss. 9, 69(2), **Sch. 2 para. 29**

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Solicitors Act 1974, Section 69.