



Access to Justice Act 1999

1999 CHAPTER 22

PART II

OTHER FUNDING OF LEGAL SERVICES

Costs

29 Recovery of insurance premiums by way of costs.

Where in any proceedings a costs order is made in favour of any party who has taken out an insurance policy against the risk of incurring a liability in those proceedings, the costs payable to him may, subject in the case of court proceedings to rules of court, include costs in respect of the premium of the policy.

Modifications etc. (not altering text)

C1 S. 29 restricted (1.4.2000) by S.I. 2000/900, arts. 1, 3

30 Recovery where body undertakes to meet costs liabilities.

- (1) This section applies where a body of a prescribed description undertakes to meet (in accordance with arrangements satisfying prescribed conditions) liabilities which members of the body or other persons who are parties to proceedings may incur to pay the costs of other parties to the proceedings.
- (2) If in any of the proceedings a costs order is made in favour of any of the members or other persons, the costs payable to him may, subject to subsection (3) and (in the case of court proceedings) to rules of court, include an additional amount in respect of any provision made by or on behalf of the body in connection with the proceedings against the risk of having to meet such liabilities.
- (3) But the additional amount shall not exceed a sum determined in a prescribed manner; and there may, in particular, be prescribed as a manner of determination one which

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takes into account the likely cost to the member or other person of the premium of an insurance policy against the risk of incurring a liability to pay the costs of other parties to the proceedings.

- (4) In this section “prescribed” means prescribed by regulations made by the [^{F1} Secretary of State] by statutory instrument; and a statutory instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Regulations under subsection (1) may, in particular, prescribe as a description of body one which is for the time being approved by the [^{F1} Secretary of State] or by a prescribed person.

Textual Amendments

- F1** Words in s. 30 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 11(1)(c)**

Modifications etc. (not altering text)

- C2** [S. 30](#) restricted (1.4.2000) by [S.I. 2000/900](#), art. 4

31 Rules as to costs.

In section 51 of the ^{M1}Supreme Court Act 1981 (costs), in subsection (2) (rules regulating matters relating to costs), insert at the end “ or for securing that the amount awarded to a party in respect of the costs to be paid by him to such representatives is not limited to what would have been payable by him to them if he had not been awarded costs. ”

Marginal Citations

- M1** [1981 c.54](#).

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