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STATUTORY INSTRUMENTS

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**2003 No. 1242**

**The Civil Procedure (Amendment No. 2) Rules 2003**

**Amendments to the Civil Procedure Rules 1998**

**5.** In rule 43.2—

- (a) after paragraph (1), omit the cross-reference;
- (b) after paragraph (2), insert—

“(3) Where advocacy or litigation services are provided to a client under a conditional fee agreement, costs are recoverable under Parts 44 to 48 notwithstanding that the client is liable to pay his legal representative’s fees and expenses only to the extent that sums are recovered in respect of the litigation, whether by way of costs or otherwise.

(4) In paragraph (3), the reference to a conditional fee agreement is to an agreement which satisfies all the conditions applicable to it by virtue of section 58 of the Courts and Legal Services Act 1990<sup>(1)</sup>.”.

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<sup>(1)</sup> 1990 c. 41, as substituted by s. 27(1) of the Access to Justice Act 1999 (c. 22).