



Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018

2018 asp 10

PART 1

SUCCESS FEE AGREEMENTS

3 Expenses in the event of success

- (1) This section applies where the recipient of relevant services under a success fee agreement—
 - (a) is awarded expenses in civil proceedings concerned with a matter to which the agreement relates, or
 - (b) agrees with another person that the recipient is entitled to recover expenses from that person in relation to such a matter.
- (2) Unless the success fee agreement provides otherwise—
 - (a) the provider is entitled to recover and retain the expenses so far as those expenses relate to the relevant services provided by the provider in relation to the matter, and
 - (b) the amount of the success fee to be paid under the agreement is not affected by the amount of expenses recovered and retained by the provider.
- (3) Subsection (2) is subject to section 17(2A) of the Legal Aid (Scotland) Act 1986 (which makes provision for circumstances in which expenses recovered are to be paid to the Scottish Legal Aid Board).