
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 110

The Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018 (Success Fee Agreements) Regulations 2020

Exclusion for family proceedings

3.—(1) A damages-based agreement must not be entered into in connection with a matter which is or may become the subject of family proceedings.

(2) In paragraph (1)—

- (a) “damages-based agreement” is a success fee agreement under which the success fee is determined by reference to the amount of financial benefit obtained by the recipient,
- (b) “family proceedings” has the same meaning as in section 135 of the Courts Reform (Scotland) Act 2014⁽¹⁾.

(3) Nothing in paragraph (1) is to be construed as restricting the use of other types of success fee agreement.