

Signed by authority of the Lord Chancellor

Date

Name
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

Under sections 58 and 58A of the Courts and Legal Services Act 1990 (c. 41), all proceedings may be the subject of an enforceable conditional fee agreement except specified family proceedings and criminal proceedings (other than those under section 82 of the Environmental Protection Act 1990 (c. 43)). The Conditional Fee Agreements Order 2000 (S.I. 2000/823) specifies the proceedings to which a conditional fee agreement must relate if it is to provide for a success fee, and the maximum amount of such a fee. This Order, made under sections 58(4) and 120(3) of the Courts and Legal Services Act 1990, amends the Conditional Fee Agreements Order 2000 to set a maximum success fee percentage of 10% for all conditional fee agreements in relation to defamation proceedings providing for such fees. Article 3 provides that the provisions of this Order only apply to an agreement entered into after this Order comes into force.

An impact assessment has been prepared for this Order and is located on the Ministry of Justice website at www.justice.gov.uk/consultations/costs-defamation-proceedings-consultation.htm.

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