



Litigants in Person (Costs and Expenses) Act 1975

1975 CHAPTER 47

An Act to make further provision as to the costs or expenses recoverable by litigants in person in civil proceedings. [1st August 1975]

Modifications etc. (not altering text)

C1 Act modified (N.I.) (1.4.2015) by [Planning Act \(Northern-Ireland\) 2011 \(c. 25\), ss. 205\(5\), 254\(1\), 254\(2\)](#) (with s. 211); S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2)

1 Costs or expenses recoverable.

- (1) Where, in any proceedings to which this subsection applies, any costs of a litigant in person are ordered to be paid by any other party to the proceedings or in any other way, there may, subject to rules of court, be allowed on the taxation or other determination of those costs sums in respect of any work done, and any expenses and losses incurred, by the litigant in or in connection with the proceedings to which the order relates.

This subsection applies to civil proceedings—

- (a) [^{F1}in England and Wales in the county court or in Northern Ireland] in a county court, [^{F2}in the family court,] in the [^{F3}Senior Courts, in the Court of Judicature] or in the [^{F4}Supreme Court] on appeal from the High Court or the Court of Appeal,
 - (b) before ^{F5} . . . the Lands Tribunal for Northern Ireland,
 - [^{F6}(ba) before the First-tier Tribunal or the Upper Tribunal,] or
 - (c) in or before any other court or tribunal specified in an order made under this subsection by the Lord Chancellor.
- (2) Where, in any proceedings to which this subsection applies, any costs or expenses of a party litigant are ordered to be paid by any other party to the proceedings or in any other way, there may, subject to rules of court, be allowed on the taxation or other determination of those costs or expenses sums in respect of any work done, and any

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outlays and losses incurred, by the litigant in or in connection with the proceedings to which the order relates.

This subsection applies to civil proceedings—

- (a) in the sheriff court, the Scottish Land Court, the Court of Session or the ^[F4]Supreme Court] on appeal from the Court of Session,
 - (b) before the Lands Tribunal for Scotland,
 - ^[F6](ba) before the First-tier Tribunal or the Upper Tribunal,] or
 - (c) in or before any other court or tribunal specified in an order made under this subsection by the Lord Advocate.
- (3) An order under subsection (1) or (2) above shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) In this section “rules of court”—
- (a) in relation to ^{F5}. . . the Lands Tribunal for Scotland, means rules made under section 3 of the ^{M1}Lands Tribunal Act 1949,
 - (b) in relation to the Lands Tribunal for Northern Ireland, means rules made under section 9 of the ^{M2}Lands Tribunal and Compensation Act (Northern Ireland) 1964,
 - ^[F7](ba) in relation to the First-tier Tribunal or the Upper Tribunal, means Tribunal Procedure Rules,] and
 - (c) in relation to any other tribunal specified in an order made under subsection (1) or (2) above, shall have the meaning given by the order as respects that tribunal.
- ^[F8](5) In the application of this section to Northern Ireland—
- (a) in subsection (1)—
 - (i) the expressions “county court”, “the High Court” and “ the Court of Appeal ” shall have the meanings respectively assigned to them by section 29(1) of the Northern Ireland Act 1962 ^{M3} ;
 - (ii) the reference to the Lord Chancellor shall be construed as a reference to the Department of Justice in Northern Ireland;
 - (b) in subsection (3) for “by statutory instrument” to “Parliament” there is substituted by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 ^{M4} ; and is subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 ^{M5} .]

Textual Amendments

- F1** Words in s. 1(1) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 103](#); [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F2** Words in s. 1(1) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 35](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F3** Words in s. 1(a) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59(5), 148(1), [Sch. 11 para. 22\(a\)](#), [S.I. 2009/1604](#), {art. 2(d)}
- F4** Words in s. 1(1)(a)(2)(a) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 40(4), 148(1), [Sch. 9 para. 26](#); [S.I. 2009/1604](#), art. 2(d)

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- F5** Words in s. 1(1)(b)(4)(a) omitted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), **art. 5(1)(2)**. {Sch. 1 para. 116} (with Sch. 5)
- F6** S. 1(1)(ba)(2)(ba) inserted (3.11.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 48(1), 148(5), **Sch. 8 para. 6(2)**; S.I. 2008/2696, arts. 2, **5(c)(i)** (with art. 3)
- F7** S. 1(4)(ba) inserted (3.11.2008) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 48(1), 148(5), **Sch. 8 para. 6(3)**; S.I. 2008/2696, arts. 2, **5(c)(i)**, (with art. 3)
- F8** S. 1(5) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 15(5), **Sch. 18 para. 8** (with arts. 28-31)

Modifications etc. (not altering text)

- C2** S. 1: functions transferred (19.5.1999) by [S.I. 1999/678](#), art. 2(1), **Sch.**

Marginal Citations

- M1** 1949 c. 42.
M2 1964 c. 29 (N.I.)
M3 1962 c. 30.
M4 S.I. 1979/1573 (N.I. 12).
M5 1954 c. 33 (N.I.)

2 Short title, commencement and extent.

- (1) This Act may be cited as the Litigants in Person (Costs and Expenses) Act 1975.
- (2) ^{F9}.....
- (3) ^{F9}.....
- (4) This Act extends to Northern Ireland.

Textual Amendments

- F9** S. 2(2)(3) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **s. 1(1)**, {Sch. 1 Pt. 1 Group 4}

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Changes and effects yet to be applied to :

- s. 1(1) applied by [2015 c. 8 \(N.I.\) s. 109\(5\)](#)