



# 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]

### **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) in a county court, in the Supreme Court or in the House of Lords on appeal from the High Court or the Court of Appeal,
- (b) before the Lands Tribunal or the Lands Tribunal for Northern Ireland, 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 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 House of Lords on appeal from the Court of Session,
- (b) before the Lands Tribunal for Scotland, or
- (c) in or before any other court or tribunal specified in an order made under this subsection by the Lord Advocate.

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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Litigants in Person (Costs and Expenses) Act 1975. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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- (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 the Lands Tribunal or the Lands Tribunal for Scotland, means rules made under section 3 of the <sup>M1</sup>Lands Tribunal Act 1949,
  - (b) in relation to the Lands Tribunal for Northern Ireland, means rules made under section 9 of the <sup>M2</sup>Lands Tribunal and Compensation Act (Northern Ireland) 1964, 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.
- (5) In the application of subsection (1) above to Northern Ireland, the expressions “county court”, “the Supreme Court”, “the High Court” and “the Court of Appeal” shall have the meanings respectively assigned to them by section 29(1) of the <sup>M3</sup>Northern Ireland Act 1962.

**Annotations:**

**Modifications etc. (not altering text)**

**C1** [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](#).

**2 Short title, commencement and extent.**

- (1) This Act may be cited as the Litigants in Person (Costs and Expenses) Act 1975.
- (2) This Act shall come into operation—
- (a) in relation to England and Wales and Northern Ireland, on such day as the Lord Chancellor may by order made by statutory instrument appoint, and
  - (b) in relation to Scotland, on such day as the Lord Advocate may by order made by statutory instrument appoint.
- (3) An order under subsection (2) above—
- (a) may appoint different days for different purposes, and
  - (b) may make such transitional provision as appears to the Lord Chancellor or, as the case may be, the Lord Advocate to be necessary or expedient.
- (4) This Act extends to Northern Ireland.

**Annotations:**

**Modifications etc. (not altering text)**

**C2** Power of appointment conferred by [s. 2\(2\)\(3\)](#) fully exercised; appointed day 1.9.1980 by [S.I. 1980/1552](#), [art. 2](#) and [S.I. 1980/1158](#), [art. 2](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 1(1)(a) words substituted by 2005 c. 4 Sch. 9 para. 26
- s. 1(1)(a) words substituted by 2005 c. 4 Sch. 11 para. 22(a)
- s. 1(1)(b) words omitted by S.I. 2009/1307 Sch. 1 para. 116
- s. 1(1)(ba) inserted by 2007 c. 15 Sch. 8 para. 6(2)
- s. 1(2)(a) words substituted by 2005 c. 4 Sch. 9 para. 26
- s. 1(2)(ba) inserted by 2007 c. 15 Sch. 8 para. 6(2)
- s. 1(4)(a) words omitted by S.I. 2009/1307 Sch. 1 para. 116
- s. 1(4)(ba) inserted by 2007 c. 15 Sch. 8 para. 6(3)
- s. 1(5) substituted by S.I. 2010/976 Sch. 18 para. 8
- s. 1(5) words omitted by 2005 c. 4 Sch. 11 para. 22(b)
- s. 2(2) repealed by 2004 c. 14 Sch. 1 Pt. 1 Group 4
- s. 2(3) repealed by 2004 c. 14 Sch. 1 Pt. 1 Group 4

**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

- Act modified by 2011 c. 25 (N.I.) s. 205(5)
- Act transfer of functions by S.I. 2010/976 Sch. 17 para. 5

**Commencement Orders yet to be applied to the Litigants in Person (Costs and Expenses) Act 1975:**

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2008/2696 art. 2 5 6 commences (2007 c. 15)
- S.I. 2009/1604 art. 2 commences (2005 c. 4)