



ADVOCATES ACT 1995

ADVOCATES AGREEMENTS AND FEES DETAILS REGULATIONS 2000

Laid before Tynwald - 21 November 2000

Coming into operation - 1 January 2001

In exercise of the powers conferred on the Advocates Fees Committee by sections 20(1)(a) and 21(3) of the Advocates Act 1995(a), and of all other enabling powers, after consulting the Isle of Man Law Society and such other persons as appear to it to be representative of persons likely to be affected, the following Regulations are hereby made :-

Citation and commencement

1. These Regulations may be cited as the Advocates Agreements and Fees Details Regulations 2000 and shall come into operation on 1 January 2001.

Fee agreements

2. For the purposes of section 20(1)(a) of the Advocates Act 1995, a written agreement in respect of fees charged by an advocate must specify -
 - (a) the method by which fees will be calculated;
 - (b) the unit rates to be applied in the calculation of fees where they are calculated by reference to a specific factor (for example at an hourly rate);
 - (c) the circumstances in which interim payments, payments for retainer or advance payments on account will be required and the circumstances (if any) in which they may be repaid;
 - (d) the circumstances in which additional payments may be required (for example where exceptional skill and care is exercised or the matter is dealt with in an exceptionally expeditious manner);
 - (e) how expenses and disbursements are to be charged;
 - (f) the circumstances in which fees will be deducted from monies held for or on

behalf of the client and the notice which the advocate will give to the client in respect of such a deduction; and

- (g) the circumstances in which interest may be charged on overdue bills for fees and the amount of such interest.

Details of fees payable

3. (1) For the purposes of section 19(2)(c) of the Advocates Act 1995, the written details of fees payable to an advocate must be sufficient to identify -

- (a) the method by which fees are calculated;
- (b) the unit rates applied in the calculation of fees where they are calculated by reference to a specific factor (for example at an hourly rate);
- (c) interim payments, payments in respect of retainer or advance payments on account;
- (d) additional payments required to be paid (for example where exceptional skill and care has been exercised or the matter has been dealt with in an exceptionally expeditious manner);
- (e) the expenses and disbursements which are charged; and
- (f) fees which have been deducted from monies held for or on behalf of the client.

(2) Written details of fees shall include a clear statement that the client has a right to seek assessment of the fees in accordance with section 23 of the Advocates Act 1995 by either the Chief Registrar or an assessor nominated by the Isle of Man Law Society.

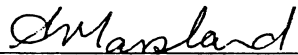
Made

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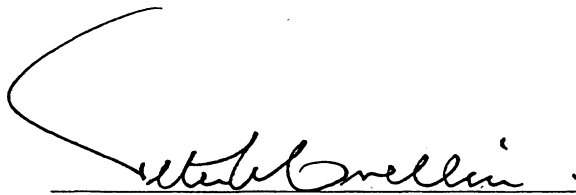
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First Deemster and Clerk of the Rolls
Chairman of the Advocates Fees Committee



Member of the Advocates Fees Committee



Member of the Advocates Fees Committee

Explanatory Note

(This note is not part of the Regulations)

These Regulations are made under Part 3 of the Advocates Act 1995 which deals with the fees charged by advocates. The Regulations specify the details to be provided in respect of fees charged by advocates.