

Explanatory Note

- Appropriate certificates under headings (1) and (2) are required in all cases. The appropriate certificate under (3) is required in all cases in which the receiving party is an assisted person or a LSC funded client. Certificates (4), (5) and (6) are optional. Certificate (6) may be included in the bill, or, if the dispute as to VAT recoverability arises after service of the bill, may be filed and served as a supplementary document amending the bill under paragraph 39.10 of this Practice Direction.
- All certificates must be signed by the receiving party or by his solicitor. Where the bill claims costs in respect of work done by more than one firm of solicitors, certificate (1), appropriately completed, should be signed on behalf of each firm.

(1) CERTIFICATE AS TO ACCURACY

I certify that this bill is both accurate and complete [and]

- (where the receiving party was funded by legal aid/LSC)*
[in respect of Part(s) of the bill] all work claimed was done pursuant to a certificate issued by the Legal Aid Board/Legal Services Commission granted to [the assisted person] [the LSC Funded client]
- (where costs are claimed for work done by an employed solicitor)*
[in respect of Part(s) of the bill] the case was conducted by a solicitor who is an employee of the receiving party.
- (other cases where costs are claimed for work done by a solicitor)*
[in respect of Part(s) of the bill] the costs claimed herein do not exceed the costs which the receiving party is required to pay me/my firm.

(2) CERTIFICATE AS TO INTEREST AND PAYMENTS

I certify that:

- No rulings have been made in this case which affect my/ the receiving party's entitlement (if any) to interest on costs.
or
- The only rulings made in this case as to interest are as follows:
(give brief details as to the date of each ruling, the name of the Judge who made it and the text of the ruling)
and
- No payments have been made by any paying party on account of costs included in this bill of costs.
or
- The following payments have been made on account of costs included in this bill of costs:
[give brief details of the amounts, the dates of payment and the name of the person by or on whose behalf they were paid]

(3) CERTIFICATE AS TO INTEREST OF ASSISTED PERSON/ LSC FUNDED CLIENT PURSUANT TO REGULATION 119 OF THE CIVIL LEGAL AID (GENERAL) REGULATIONS 1989

I certify that the assisted person/LSC funded client has no financial interest in the detailed assessment.

or

- I certify that a copy of this bill has been sent to the assisted person / LSC funded Client pursuant to Regulation 119 of the Civil Legal Aid (General) Regulations 1989 with an explanation of his/her interest in the detailed assessment and the steps which can be taken to safeguard that interest in the assessment. He/she has/has not requested that the costs officer be informed of his/her interest and has/has not requested that notice of the detailed assessment hearing be sent to him/her.

(4) CONSENT TO THE SIGNING OF THE CERTIFICATE WITHIN 21 DAYS OF THE DETAILED ASSESSMENT PURSUANT TO REGULATION 112 AND 121 OF THE CIVIL LEGAL AID (GENERAL) REGULATIONS 1989.

I certify that notice of the fees reduced or disallowed on detailed assessment has been given in writing to counsel on [date]

or

I certify that: there having been no reduction or disallowance of counsel's fees it is not necessary to give notice to counsel

I/we consent to the final costs certificate being issued immediately.

(5) CERTIFICATE IN RESPECT OF DISBURSEMENTS NOT EXCEEDING £500

I hereby certify that all disbursements listed in this bill which individually do not exceed £500 (other than those relating to counsel's fees) have been duly discharged.

(6) CERTIFICATE AS TO RECOVERY OF VAT

With reference to the pending assessment of the [claimant's/defendant's] costs and disbursements herein which are payable by the [claimant/defendant] we the undersigned [solicitors to] [auditors of] the [claimant/defendant] hereby certify that the [claimant/defendant] on the basis of its last completed VAT return [would/would not be entitled to recover would/be entitled to recover only percent of the] Value Added Tax on such costs and disbursements, as input tax pursuant to Section 14 of the Value Added Tax Act 1983.

We certify that our Client(s) are minor(s) under 18 years of age and is/are not the beneficiary/ries of a Trust Fund of a value of more than £50,000.00 pursuant to article 3, Family Proceedings Fees (Amendment) Order 1998

..... Pre Assessment

..... Post Assessment