



## THE LEGAL PRACTITIONERS (FEES) ACT, 1926



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# THE LEGAL PRACTITIONERS (FEES) ACT, 1926

<sup>1</sup>ACT No. XXI OF 1926

[25th March, 1926]

## **An Act to define in certain cases the rights of legal practitioners to sue for their fees and their liabilities to be sued in respect of negligence in the discharge of their professional duties.**

WHEREAS it is expedient to define in certain cases the rights of legal practitioners to sue for their fees and their liabilities to be sued in respect of negligence in the discharge of their professional duties ; It is hereby enacted as follows :—

**1. Short title, extent and commencement.**—(1) This Act may be called the Legal Practitioners (Fees) Act, 1926.

<sup>2</sup>[(2) It extends to the whole of Pakistan.]

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<sup>1</sup>For Statement of Objects and Reasons, see Gazette of India, 1926, Pt. V, page 19.

<sup>2</sup>Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2<sup>nd</sup> Sch. (with effect from the 14<sup>th</sup> October, 1955), for the original sub-section (2), as amended by A. O., 1949.

(3) It shall come into force on such date<sup>1</sup> as the <sup>2</sup>[Federal Government] may, by notification in the <sup>3</sup>[official Gazette], appoint.

**2. Interpretation.** For the purposes of this Act, unless there is anything repugnant in the subject or context,—

<sup>4</sup>[(a) “Legal practitioner” means a legal practitioner as defined in section 2 of the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973).

(b) a legal practitioner shall not be deemed to “act” if he only pleads, or to “agree to act” if he agrees only to plead.

**3. Agreement for engagement of legal practitioner.** Any legal practitioner who acts or agrees to act for any person may by private agreement settle with such person the terms of his engagement and the fee to be paid for his professional services.

**4. Right of legal practitioner to sue for fees.** Any such legal practitioner shall be entitled to institute and maintain legal proceedings for the recovery of any fee due to him under the agreement, or, if no such fee has been settled, a fee computed in accordance with the law for the time being in force in regard to the computation of the costs to be awarded to a party in respect of the fee of his legal practitioner.

**5. Liability of legal practitioner to be sued.** No legal practitioner who has acted or agreed to act shall, by reason only of being a legal practitioner, be exempt from liability to be sued in respect of any loss or injury due to any negligence in the conduct of his professional duties.

**6. [Repeals. ]** *Rep. by the Repealing Act, 1927 (XII of 1927 ), s. 2 and Schedule.*

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<sup>1</sup>The 1<sup>st</sup> June, 1926 ; see Gazette of India, 1926, Pt. I, p. 514.

<sup>2</sup> Subs. by F.A.O., 1975, Art. 2 and Table, for “Central Government” which was previously amended by A.O., 1937, for “G.G. in C.”.

<sup>3</sup>Subs. by A.O. 1937 for “Gazette of India”.

<sup>4</sup>Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch., II, for clause (a).

