

Fees

35. An advocate and solicitor shall inform the client of —

- (a) the basis on which fees for professional services will be charged and the manner in which it is expected that those fees and disbursements, if any, shall be paid by the client;
- (b) other reasonably foreseeable payments the client may have to make either to the advocate and solicitor or to a third party and the stages at which the payments are likely to be required;
- (c) the estimates of the fees and other payments, which shall not vary substantially from the final amount, unless the client has been informed of the changed circumstances in writing;
- (d) the fees may be subject to a limit which may be incurred without further reference and where the limit imposed on the fees is insufficient, the advocate and solicitor shall obtain the client's instructions as to whether to continue with the matter; and
- (e) the approximate amount of the costs to date in every 6 months whether or not a limit has been set or deliver an interim bill in appropriate cases.

Fees in contentious matters

36. An advocate and solicitor shall, at the outset of a contentious matter and at appropriate stages thereafter, explain to the client the following:

- (a) that in any event the client shall be personally responsible for payment of his own solicitor and client bill of costs in full regardless of any order for costs made against the opponent;
- (b) that in the event the client loses, he will have to pay his opponent's costs as well as his own; and
- (c) that even if the client wins, his opponent may not be ordered to pay the full amount of the client's own costs and may not be capable of paying what has been ordered.