
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 196

The Civil Legal Services (Financial)
Regulations (Northern Ireland) 2015

PART 3

CONTRIBUTIONS

Application of regulations 59 and 60

- 58.** Regulations 59 and 60 apply only in relation to the contribution payable by a client for—
- (a) advice and assistance; and
 - (b) representation (lower courts).

Determination of contributions – advice and assistance and representation (lower courts)

59.—(1) The supplier shall, except where paragraph (2) applies, determine the maximum contribution, if any, payable to the supplier by the client under Article 17 of the Order in accordance with paragraph (3).

(2) A client who receives advice and assistance under regulation 4(2) shall not be required to pay a contribution towards any remuneration payable under the Remuneration Order in respect of the advice and assistance.

(3) The contribution payable by a client under Article 17 of the Order, where their disposable income falls within a range specified in the first column of the following table, is the amount specified in relation to that range in the second column of that table.

<i>Disposable Income Range</i>	<i>Maximum Contribution</i>
Exceeding £100 but not exceeding £107 a week	£7
Exceeding £107 but not exceeding £114 a week	£14
Exceeding £114 but not exceeding £121 a week	£21
Exceeding £121 but not exceeding £128 a week	£28
Exceeding £128 but not exceeding £135 a week	£35
Exceeding £135 but not exceeding £142 a week	£42
Exceeding £142 but not exceeding £149 a week	£49
Exceeding £149 but not exceeding £156 a week	£56
Exceeding £156 but not exceeding £163 a week	£63
Exceeding £163 but not exceeding £170 a week	£70
Exceeding £170 but not exceeding £177 a week	£77

<i>Disposable Income Range</i>	<i>Maximum Contribution</i>
Exceeding £177 but not exceeding £184 a week	£84
Exceeding £184 but not exceeding £191 a week	£91
Exceeding £191 but not exceeding £198 a week	£98
Exceeding £198 but not exceeding £205 a week	£105
Exceeding £205 but not exceeding £212 a week	£112
Exceeding £212 but not exceeding £219 a week	£119
Exceeding £219 but not exceeding £226 a week	£126
Exceeding £226 but not exceeding £234 a week	£134

Collection of contributions and repayment of excess contributions

60.—(1) Where a client is required to make a contribution towards the remuneration payable under the Remuneration Order in respect of the advice and assistance or representation (lower courts) —

- (a) the supplier may collect that contribution by such periodical payments as may be agreed between the supplier and the client; and
- (b) where the total contribution is likely to exceed the remuneration payable under the Remuneration Order in respect of providing the advice and assistance or representation (lower courts), as applicable, the supplier shall not require the client to pay an amount higher than would be expected to defray the supplier's remuneration.

(2) Where the remuneration properly chargeable for the advice and assistance or representation (lower courts) under the Remuneration Order is less than any contribution made by the client, the supplier shall repay the excess to the client.

Application of regulations 62 and 63

61. Regulations 62 and 63 apply only in relation to the contribution payable by a client for representation (higher courts).

Determination of contributions – representation (higher courts)

62.—(1) The assessing authority shall determine the maximum contribution, if any, payable to the Department by the client under Article 17 of the Order in accordance with paragraph (2).

(2) Where a client receives representation (higher courts) in connection with any proceedings, their contribution to the Department in respect of those proceedings may include—

- (a) if their disposable income exceeds £3,355 per year, a contribution in respect of income not greater than one third of the excess; and
- (b) if their disposable capital exceeds £3,000, a contribution in respect of capital not greater than the excess.

Collection of contributions and repayment of excess contributions

63.—(1) In fixing the method by which any contribution shall be paid by the client, the Director shall—

- (a) require any contribution payable out of capital to be paid immediately if the sum is readily available or, if it is not, within such time as seems reasonable to the Director in all the circumstances; and
 - (b) require any contribution payable out of income to be paid by periodical payments at a rate which would, if the maximum contribution from income was required, secure that that maximum amount would be paid within the next ensuing twelve months.
- (2) If the total contribution to the Department made by a client in respect of any proceedings is more than their liability to the Department under the Civil Legal Services (Statutory Charge) Regulations (Northern Ireland) 2015⁽¹⁾, the excess shall be repaid to the client.

⁽¹⁾ S.R. 2015 No. 200