
STATUTORY INSTRUMENTS

2013 No. 483

The Criminal Legal Aid (Contribution Orders) Regulations 2013

PART 2

Crown Court Trials

Repayment: general

37.—(1) Where an individual has made a payment or payments—

- (a) under an income contribution order, and, except where regulation 25(b) applies—
 - (i) the proceedings against the individual are discontinued; or
 - (ii) the individual is acquitted by the Crown Court of each offence with which the individual was charged; or
- (b) under a contribution order, and the Court of Appeal allows an appeal against conviction by the individual,

the Lord Chancellor must repay to the individual the amount of each payment made, less any amount added in accordance with regulation 45, together with compound interest thereon from the date of the payment at the rate of 2% per year with yearly rests.

(2) Where the Director has made a determination—

- (a) under section 16 of the Act that the individual qualifies for representation for the purposes of other criminal proceedings to which Part 2 or 3 applies; or
- (b) under these Regulations that the individual is liable to make a payment in connection with the provision of representation in other criminal proceedings to which Part 2 or 3 applies,

the Lord Chancellor may treat the amount to be repaid under paragraph (1) as satisfying the equivalent amount due under any other contribution order.

(3) Where—

- (a) an individual has made payments under an income contribution order; and
- (b) the amount of the payments so made exceeds the recoverable costs of representation,

the Lord Chancellor must repay to the individual the amount of the excess, less any amount added in accordance with regulation 45, together with compound interest thereon from the date of the excess payment at the rate of 2% per year with yearly rests.