
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 201

**The Civil Legal Services (Remuneration)
Order (Northern Ireland) 2015**

Appeals to the taxing master

14.—(1) This Article applies only to claims in respect of proceedings to which Schedule 4 applies and the remuneration payable has been determined by the Department under Article 5(1).

(2) Where the Department has given its reasons for its decision under Article 13, a representative who is dissatisfied with that decision may appeal to the taxing master.

(3) Subject to Article 17, an appeal shall be instituted within 21 days of receiving the Department's reasons, by giving notice in writing to the taxing master.

(4) The appellant shall send a copy of any notice given under paragraph (3) to the Department.

(5) The notice of appeal shall be accompanied by—

(a) a copy of the written representations given under Article 13(2);

(b) the Department's reasons for its decision given under Article 13(7); and

(c) the particulars, information and documents supplied to the Department under Article 13.

(6) The notice of appeal shall:

(a) be in such form as the taxing master may direct;

(b) specify separately each item appealed against, showing (where appropriate) the amount claimed for the item, the amount determined and the grounds of the objection to the determination; and

(c) state whether the appellant wishes to appear or to be represented or whether they will accept a decision given in their absence.

(7) The taxing master may, and if so directed by the Department either generally or in a particular case shall, send to the Department a copy of the notice of appeal together with copies of such other documents as the Department may require.

(8) With a view to ensuring that the public interest is taken into account, the Department may arrange for written or oral representations to be made on its behalf and, if it intends to do so, the Department shall inform the taxing master and the appellant.

(9) Any written representations made on behalf of the Department under paragraph (8) shall be sent to the taxing master and the appellant and, in the case of oral representations, the taxing master and the appellant shall be informed of the grounds on which such representations will be made.

(10) The appellant shall be permitted a reasonable opportunity to make representations in reply.

(11) The taxing master shall inform the appellant (or their representative) and the Department, where representations have been or are to be made on its behalf, of the date of any hearing and, subject to the provisions of this Article, may give directions as to the conduct of the appeal.

(12) The taxing master may consult the trial judge or the Department and may require the appellant to provide any further information required for the purpose of the appeal and, unless the

taxing master otherwise directs, no further evidence shall be received on the hearing of the appeal and no ground of objection shall be valid which was not raised under Article 13.

(13) The taxing master shall have the same powers as the Department under this Order and, in the exercise of such powers, may alter the redetermination of the Department in respect of any sum allowed, whether by increase or decrease.

(14) The taxing master shall communicate the decision and the reasons for it in writing to the appellant, the Department and the Legal Services Agency.

(15) Except where the taxing master confirms or decreases the sums redetermined under Article 13, the taxing master may allow the appellant a sum in respect of part or all of any reasonable costs (including any fee payable in respect of an appeal) incurred by the appellant in connection with the appeal.