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SCHEDULE

Regulation 8

“SCHEDULE 3

Regulation 4

FEEs OF COUNSEL FOR PROCEEDINGS IN THE  
JUDICIAL COMMITTEE OF THE PRIVY COUNCIL

*Notes on the operation of Schedule 3*

1. Subject to the following provisions of this Schedule, fees shall be calculated by the Board, and in the event of a question or dispute by the auditor, in accordance with the Table of Fees in this Schedule.

2. In the assessment and taxation of counsel’s fees–

(a) where higher fees than those set out in the Table of Fees are sought, they must be explained in a note from counsel;

(b) for proceedings under paragraph 1 of the Table of Fees–

(i) subject to any higher fees allowable under sub-paragraph (a), no other payments are permitted;

(ii) there is a working assumption that a single fee is allowed for one junior counsel even where sanction is authorised for two counsel and that it would only be in the most exceptional cases that fees are allowable for two counsel; and

(iii) a fee for senior counsel may be allowed instead of junior counsel if it is held to be necessary because of the difficulty or complexity of the case or for other good reason; and

(c) for proceedings under paragraph 2 of the Table of Fees–

(i) counsel’s fees are allowed only where the Board has sanctioned the employment of counsel or where counsel is automatically available;

(ii) except on cause shown, the auditor shall not have regard to any information produced by counsel at taxation which was not made available to the Board at the time the Board made the offer to counsel which is subject to taxation;

(iii) in cases where junior counsel has undertaken most of the work on a particular item the auditor shall allow such fee to senior and junior counsel as appears appropriate to provide reasonable remuneration for the work;

(iv) there is a working assumption that counsel for an appellant commands a higher fee than counsel for a respondent;

(v) only one counsel’s fee is permitted on a petition of appeal and on attending judgment; and

(vi) the brief fee shall include all work on the brief, the case and the first day of attendance at the Judicial Committee.

**TABLE OF FEES**

<i>1. Petition for leave to appeal</i>	<i>Junior Counsel</i>	<i>Senior Counsel</i>
(a) Drafting petition for leave to appeal	£800.00	£1000.00

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<i>1. Petition for leave to appeal</i>	<i>Junior Counsel</i>	<i>Senior Counsel</i>
(b) Preparing respondents' objections	£550.00	£750.00
(c) Attending Judicial Committee	£1100.00	£1600.00
	<i>Junior Counsel</i>	<i>Senior Counsel</i>
<i>2. Appeals and References</i>		
(a) Drafting Petition of appeal	£75.00	£75.00
(b) Statement of Facts and Issues	£1750.00	£3500.00
(c) Authorities	£600.00	£1200.00
(d) Consultations (each, up to a maximum of three)	£350.00	£700.00
(e) Brief (based on a 1 day hearing)	£6250.00	£12500.00
(f) Brief (based on a 2 day hearing)	£8000.00	£16000.00
(g) Refresher (from day two of the hearing)	£1250.00	£2500.00
(h) Judgment	£150.00	£150.00"