

## S T A T U T O R Y   I N S T R U M E N T S

1977 No. 875

## LEGAL AID AND ADVICE, ENGLAND

**The Legal Aid in Criminal Proceedings (Fees and Expenses)  
(Amendment) Regulations 1977**

<i>Made - - - -</i>	<i>19th May 1977</i>
<i>Laid before Parliament</i>	<i>27th May 1977</i>
<i>Coming into Operation</i>	<i>20th June 1977</i>

In exercise of the powers conferred upon me by section 39(1) of the Legal Aid Act 1974(a), I hereby make the following Regulations:—

1. These Regulations may be cited as the Legal Aid in Criminal Proceedings (Fees and Expenses) (Amendment) Regulations 1977 and shall come into operation on 20th June 1977.

2. For Regulation 7(6) of the Legal Aid in Criminal Proceedings (Fees and Expenses) Regulations 1968(b) there shall be substituted the following paragraph:—

“(6) If it appears to the taxing authority having taken into account all the relevant circumstances referred to in paragraph (1) of this Regulation that the nature, importance, complexity or difficulty of the work or the time involved, including time spent at the court on any day waiting for the case to be heard if the case was in that day’s list, was such that the sums payable by virtue of these Regulations or any of them would not provide fair remuneration for the work actually and reasonably done by the solicitor or counsel, as the case may be (whether in respect of the whole work or a particular item of work, including work done in respect of advice on appeal or giving notice of appeal or application for leave to appeal), he shall certify accordingly; and, where he so certifies, any limitation contained in these Regulations on the amount of any fee payable shall not apply.”.

*Merlyn Rees,*  
One of Her Majesty’s Principal  
Secretaries of State.

Home Office.  
19th May 1977.

(a) 1974 c. 4.

(b) S.I. 1968/1230 (1968 II, p. 3290).

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Legal Aid in Criminal Proceedings (Fees and Expenses) Regulations 1968. Regulation 2 substitutes a new paragraph for the existing Regulation 7(6) which empowers a taxing authority to increase the maximum fees payable to a solicitor or counsel under the Regulations if owing to exceptional circumstances they would not provide fair remuneration. The new paragraph replaces the reference to exceptional circumstances by a reference to the nature, importance, complexity or difficulty of the work or the time involved

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