
STATUTORY INSTRUMENTS

1992 No.594

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

**The Legal Advice and Assistance at Police Stations
(Remuneration) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>9th March 1992</i>
<i>Laid before Parliament</i>		<i>11th March 1992</i>
<i>Coming into force</i>	- -	<i>1st April 1992</i>

Lord Chancellor, in exercise of the powers conferred on him by sections 34 and 43 of the Legal Aid Act 1988(1), having had regard to the matters specified in section 34(9) and consulted with the General Council of the Bar and the Law Society, and with the consent of the Treasury, hereby makes the following Regulations:

1. Regulations may be cited as the Legal Advice and Assistance at Police Stations (Remuneration) (Amendment) Regulations 1992 and shall come into force on 1st April 1992.

2. In these Regulations a regulation referred to by number means a regulation so numbered in the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989(2) and a reference to the Schedule means the Schedule to those Regulations.

3.—(1) In regulation 2—

(a) after the definition of “area committee” there shall be inserted the following new definition:

““business day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a bank holiday under the Banking and Financial Dealings Act 1971(3);”;

(b) In the definition of “unsocial hours” for the words from “weekday” to the end of the definition there shall be substituted the words “business day and any time on a day which is not a business day;”

(1) 1988 c. 34; section 34 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 63. Section 43 is an interpretation provision and is cited because of the meaning assigned to the word “regulations”.
(2) S.I.1989/342, as amended by S.I. 1990/487 and S.I. 1991/527.
(3) 1971 c. 80.

4. For sub-paragraph (1) of paragraph 1 of the Schedule there shall be substituted, in respect of work done on or after 1st April 1992, the following sub-paragraph—

“1.—(1) The Board shall, subject to paragraph 2 in the case of item (a), allow fees for work allowed by it under regulation 5 at the following rates:

<i>Class of work</i>	<i>Rate</i>
(a) availability during duty period	£3.50 per hour served, to a maximum of £84 (£3.55 per hour served to a maximum of £85.20 in respect of a solicitor whose office is situated within legal aid area 1)
(b) advice and assistance to a person arrested and held in custody, or being interviewed in connection with a serious offence or to a volunteer, given	
(i) by a duty solicitor in unsocial hours	£57.50 per hour
(ii) by a duty solicitor in all other hours	£43.50 per hour (£46.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£43.50 per hour (£46.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(c) Travelling and waiting	
(i) by a duty solicitor in unsocial hours	£57.50 per hour
(ii) by a duty solicitor in in all other hours	£43.50 per hour (£46.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£24.25 per hour
(d) advising and assisting over the telephone	£19.75 per item (£20.50 per item in respect of a solicitor whose office is situated within legal aid area 1)
(e) routine telephone calls	£2.25 per item (£2.40 per item in respect of a solicitor whose office is situated within legal aid area 1)”

6th March 1992

Mackay of Clashfern, C.

We consent,

Dated 9th March 1992

Irvine Patnick
Gregory Knight
Two of the Lords Commissioners of Her
Majesty's Treasury

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

This note is not part of the Regulations)

These Regulations amend the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989 by (1) allowing for the increase level of remuneration paid to solicitors who give advice and assistance to suspects at police stations in unsocial hours to apply to Christmas Day and Good Friday and (2) increasing the rates of remuneration for work done on or after 1st April 1992 by an overall 3 percent;