
STATUTORY INSTRUMENTS

1992 No. 639

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

**The Legal Advice and Assistance (Duty Solicitor)
(Remuneration) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>10th March 1992</i>
<i>Laid before Parliament</i>		<i>11th March 1992</i>
<i>Coming into force</i>	- -	<i>1st April 1992</i>

The 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. These Regulations may be cited as the Legal Advice and Assistance (Duty Solicitor) (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 (Duty Solicitor) (Remuneration) Regulations 1989(2).

3.—(1) For the definition of “bank holiday” in regulation 2 there shall be substituted the following:

““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);”.

(2) For the words “bank holiday, a Saturday or a Sunday” in both places where they occur in regulation 5(1)(b) and where they occur in regulation 5(3) there shall be substituted the words “day which is not a business day”.

4. In regulation 5(2)(a) for the words “travelling and waiting” there shall be substituted the word “preparation”.

(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.1989/341 as amended by S.I. 1991/528.
(3) 1971 c. 80.

Status: This is the original version (as it was originally made).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

Dated 10th March 1992

Mackay of Clashfern, C.

We consent,

Dated 10th March 1992

Gregory Knight
Thomas Sackville
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Advice and Assistance (Duty Solicitor) (Remuneration) Regulations 1989 by (1) applying the separate arrangements in terms of travel and remuneration which apply to weekends and bank holidays to Christmas Day and Good Friday and (2) amending the rates of remuneration from being an average of the advocacy and travelling and waiting rates rates prescribed for criminal proceedings in a magistrates' court to being an average of the advocacy and preparation rates there prescribed.