
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989. Regulations 5 and 6 introduce new regulations 4A to 4D and 10A in the 1989 Regulations—

- (a) allowing a solicitor to seek interim payment of any disbursement of £100 or more in Crown Court cases for which he has obtained prior authority from an area committee;
- (b) enabling a solicitor or barrister to be paid an interim payment of 40% of the total claim for costs pending determination of the bill where the claim is of a prescribed amount or more or is related to other claims of such amounts; and
- (c) enabling the appropriate authority under the Regulations to demand repayment of an overpayment immediately from a solicitor or barrister or to deduct the overpayment from any other payment due under those Regulations.

Regulations 7 to 16 and the Appendix to these Regulations introduce standard fees for criminal proceedings in magistrates' courts. They specify the proceedings to which standard fees apply, the amounts of the standard fees payable for different categories of proceedings and the classes of work included in the core costs which determine the appropriate standard fee. Provision is also made for other costs which are payable in addition to the standard fee.

Regulation 17 moves the date on which the prescribed rates relating to fees fall, from 30th June 1993 to 30th June 1994.