
STATUTORY INSTRUMENTS

2007 No. 1174

The Criminal Defence Service (Funding) Order 2007

Interim payment of disbursements

14.—(1) A litigator may submit a claim to the appropriate officer for payment of a disbursement for which he has incurred liability in proceedings in the Crown Court in accordance with the provisions of this article.

(2) A claim for payment under paragraph (1) may be made where—

- (a) a litigator has obtained prior authority to incur expenditure of £100 or more under CDS Regulations; and
- (b) he has incurred such a liability.

(3) Without prejudice to articles 16(4) and 16(5) a claim for payment under paragraph (1) must not exceed the maximum amount authorised under the prior authority.

(4) A claim for payment under paragraph (1) may be made at any time before the litigator submits a claim for fees under article 6.

(5) A claim for payment under paragraph (1) must be submitted to the appropriate officer in such form and manner as he may direct and must be accompanied by the authority to incur expenditure and any invoices or other documents in support of the claim.

(6) The appropriate officer must allow the disbursement subject to the limit in paragraph (3) if it appears to have been reasonably incurred in accordance with the prior authority.

(7) Where the appropriate officer allows the disbursement, he must notify the litigator and, where the disbursement includes the fees or charges of any person, that person, of the amount payable, and must authorise payment to the litigator accordingly.

(8) Articles 29 to 31 do not apply to a payment under this article.