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STATUTORY INSTRUMENTS

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**2011 No. 2065**

**The Criminal Defence Service  
(Funding) (Amendment) Order 2011**

**Amendments to the 2007 Order**

7. After article 15 insert—

**“Expert services**

**15A.**—(1) Subject to paragraph (2), the Commission may provide for the payment of expert services only at the fixed fees or at rates not exceeding the rates set out in Schedule 6.

(2) The appropriate officer may, in relation to a specific claim, increase the fixed fees or rates set out in Schedule 6 if that officer considers it reasonable to do so in exceptional circumstances as defined in paragraph (3).

(3) For the purposes of paragraph (2), exceptional circumstances are where the expert’s evidence is key to the client’s case and either—

- (i) the complexity of the material is such that an expert with a high level of seniority is required; or
- (ii) the material is of such a specialised and unusual nature that only very few experts are available to provide the necessary evidence.”.