
STATUTORY INSTRUMENTS

2013 No. 435

The Criminal Legal Aid (Remuneration) Regulations 2013

Appeals to the High Court

30.—(1) A representative who is dissatisfied with the decision of a Costs Judge on an appeal under regulation 29 may apply to a Costs Judge to certify a point of principle of general importance.

(2) Subject to regulation 31, an application under paragraph (1) or paragraph 11(3) of Schedule 3 must be made within 21 days of receiving notification of a Costs Judge's decision under regulation 29(13).

(3) Where a Costs Judge certifies a point of principle of general importance the appellant may appeal to the High Court against the decision of a Costs Judge on an appeal under regulation 29, and the Lord Chancellor must be a respondent to such an appeal.

(4) Subject to regulation 31, an appeal under paragraph (3) must be instituted within 21 days of receiving notification of a Costs Judge's certificate under paragraph (1).

(5) Where the Lord Chancellor is dissatisfied with the decision of a Costs Judge on an appeal under regulation 29, the Lord Chancellor may, if no appeal has been made by an appellant under paragraph (3), appeal to the High Court against that decision, and the appellant must be a respondent to the appeal.

(6) Subject to regulation 31, an appeal under paragraph (5) must be instituted within 21 days of receiving notification of the Costs Judge's decision under regulation 29(13).

(7) An appeal under paragraph (3) or (5) must—

- (a) be brought in the Queen's Bench Division;
- (b) subject to paragraph (4), follow the procedure set out in Part 52 of the Civil Procedure Rules 1998(1); and
- (c) be heard and determined by a single judge whose decision will be final.

(8) The judge has the same powers as the appropriate officer and a Costs Judge under these Regulations and may reverse, affirm or amend the decision appealed against or make such other order as the judge thinks fit.

(1) S.I. 1998/3132. There are relevant amendments in S.I. 2000/221 and 2092, 2003/2113 and 3361, 2004/2072, 2005/3515, 2006/1689 and 3435, 2007/2204, 2009/2092 and 3390, 2010/1953 and 2012/2208.