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## STATUTORY INSTRUMENTS

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### 2013 No. 435

## The Criminal Legal Aid (Remuneration) Regulations 2013

### Claims for fees by advocates – Crown Court

4.—(1) Claims for fees by an instructed advocate in proceedings in the Crown Court must be made and determined in accordance with the provisions of Schedule 1 to these Regulations.

(2) A claim for fees under this regulation and Schedule 1 must be made by each instructed advocate.

(3) Subject to regulation 31, a claim by an instructed advocate for fees in respect of work done pursuant to a section 16 determination must not be entertained unless the instructed advocate submits it within three months of the conclusion of the proceedings to which it relates.

(4) An instructed advocate must submit a claim for fees to the appropriate officer in such form and manner as the appropriate officer may direct.

(5) An instructed advocate must supply such further information and documents as the appropriate officer may require.

(6) Where a confiscation hearing under Part 2 of the Proceeds of Crime Act 2002<sup>M1</sup> (confiscation: England and Wales), section 2 of the Drug Trafficking Act 1994<sup>M2</sup> (confiscation orders) or section 71 of the Criminal Justice Act 1988<sup>M3</sup> (confiscation orders) is to be held more than 28 days after—

- (a) the conclusion of the trial to which the section 16 determination relates; or
- (b) the entering of a guilty plea,

an instructed advocate may submit any claim for fees in respect of the trial or guilty plea as soon as the trial has concluded or the guilty plea has been entered.

(7) Where the section 16 determination provides for representation by—

- (a) a single advocate other than a QC; or
- (b) two or more advocates other than QC,

and a QC agrees to appear as the single advocate or as a leading junior, that QC must be treated for all the purposes of these Regulations as having been instructed in relation to that determination, and the remuneration of that QC must be determined as if the advocate were not a QC.

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#### Marginal Citations

**M1** 2002 c. 29.

**M2** 1994 c. 37. Section 2 was repealed by sections 456 and 457 of, and Schedules 11 and 12 to, the Proceeds of Crime Act 2002, subject to certain savings set out in [S.I. 2003/333](#).

**M3** 1998 c. 33. Section 71 was repealed by sections 456 and 457 of, and Schedules 11 and 12 to, the Proceeds of Crime Act 2002, subject to certain savings set out in [S.I. 2003/333](#).

**Status:**

Point in time view as at 01/04/2013. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Criminal Legal Aid (Remuneration) Regulations 2013, Section 4.