

SCHEDULE 1

Advocates' Graduated Fee Scheme

PART 6

Miscellaneous

Payment of fees to instructed advocate

26.—(1) In accordance with regulation [23](#) the appropriate officer must notify each instructed advocate of the total fees payable and authorise payment to the instructed advocate accordingly.

(2) Payment of the fees in accordance with sub-paragraph (1) must be made to each instructed advocate.

(3) Where the section 16 determination provides for representation by a single advocate, the instructed advocate is responsible for arranging payment of fees to the trial advocate and any substitute advocate who has undertaken work on the case.

(4) Where there are two instructed advocates for an assisted person, payment must be made to each instructed advocate individually, and—

- (a) the leading instructed advocate is responsible for arranging payment of fees to the trial advocate and any substitute advocate who have undertaken work on the case of a type for which a leading advocate is responsible; and
- (b) the led instructed advocate is responsible for arranging payment of fees to the trial advocate and any substitute advocate who have undertaken work on the case of a type for which a led advocate is responsible.

(5) This paragraph does not apply to a claim for fees under paragraph [32](#), [33](#) or [34](#).