
STATUTORY INSTRUMENTS

2013 No. 483

The Criminal Legal Aid (Contribution Orders) Regulations 2013

PART 2

Crown Court Trials

Determination by the Director of liability to make a payment following reassessment of capital

36.—(1) Where—

- (a) no determination has been made by the Director under regulation 29, 30 or 31 that the individual is liable to make a payment; and
- (b) on reassessment in accordance with regulation 35 the Director—
 - (i) calculates that the individual has disposable specified capital; or
 - (ii) considers that the individual has unspecified capital,

the Director must make a determination in accordance with regulation 29 and 30.

(2) Where—

- (a) a determination has been made by the Director under regulation 29, 30 or 31 that the individual is liable to make a payment; and
- (b) on reassessment in accordance with regulation 35 the Director—
 - (i) calculates that the individual has no disposable specified capital; or
 - (ii) considers that the individual has no unspecified capital,

the Director must withdraw the determination under regulation 29, 30 or 31 in respect of the individual's disposable specified capital or unspecified capital, as the case may be.

(3) Where—

- (a) a determination has been made by the Director under regulation 29, 30 or 31 that the individual is liable to make a payment; and
- (b) on reassessment in accordance with regulation 35 the Director calculates that the amount of the individual's capital is a different amount to that calculated when the determination under sub-paragraph (a) was made,

the Director must vary the determination in accordance with paragraph (4).

(4) The Director must—

- (a) vary the determination in respect of the amount of the payment so that the payment is of—
 - (i) the amount of the recoverable costs of representation, less the amount of any payment already made under an income contribution order and any relevant outstanding amount; or
 - (ii) where the amount of the individual's capital as calculated on reassessment is less than the amount in sub-paragraph (i), the amount of the individual's capital; and

Changes to legislation: There are currently no known outstanding effects for the The Criminal Legal Aid (Contribution Orders) Regulations 2013, Section 36. (See end of Document for details)

(b) amend the capital contribution order accordingly.

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Commencement Information

II Reg. 36 in force at 1.4.2013, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Legal Aid (Contribution Orders) Regulations 2013, Section 36.