

2021 No. 80

LEGAL AID AND ADVICE, ENGLAND AND WALES

**The Criminal Legal Aid (Remuneration) (Amendment)
Regulations 2021**

<i>Made</i> - - - -	<i>26th January 2021</i>
<i>Laid before Parliament</i>	<i>28th January 2021</i>
<i>Coming into force</i> - -	<i>19th February 2021</i>

The Lord Chancellor makes these Regulations in exercise of the powers conferred by sections 2(3) and 41(1)(a), (b), (2)(a) and (3)(c) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(a).

Citation and commencement

1. These Regulations may be cited as the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2021 and come into force on 19th February 2021.

Amendment of the Criminal Legal Aid (Remuneration) Regulations 2013

2.—(1) The Criminal Legal Aid (Remuneration) Regulations 2013(b) are amended as follows.

(2) In Schedule 1 (advocates' graduated fee scheme)—

(a) in the table that follows paragraph 17A(2), for “£59.01” substitute “£59.09”.

(3) In Schedule 2 (litigators' graduated fee scheme)—

(a) for paragraph 20A(2), substitute—

“(2) In any case to which this paragraph applies, a fee (“the basic consideration fee”) is payable to a litigator in respect of the consideration of unused material whether or not such consideration has actually occurred.”;

(b) omit the table that follows paragraph 20A(2);

(c) after paragraph 20A(2), insert—

“(2A) The basic consideration fee in sub-paragraph (2) is £64.68.”.

Savings

3. The amendments made by these Regulations have no effect in relation to representation orders made before 19th February 2021.

(a) 2012 c. 10.

(b) S.I. 2013/435; amended by S.I. 2020/903; there are other amending instruments but none is relevant.

26th January 2021

Alex Chalk
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Legal Aid (Remuneration) Regulations 2013 (S.I. 2013/435) (the “Remuneration Regulations”).

The Remuneration Regulations provide for the remuneration of litigators and advocates in respect of advice, assistance and representation made available under sections 13, 15 and 16 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10). In particular, the Remuneration Regulations make provision for payments in respect of the consideration of unused material under both the advocates’ graduated fee scheme (as set out in Schedule 1) and the litigators’ graduated fee scheme (as set out in Schedule 2).

Regulation 2 of these Regulations amends the fees payable in respect of the consideration of unused material in the advocates’ graduated fee scheme and the litigators’ graduated fee scheme, and Regulation 3 is a savings provision.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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