
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 201

**The Civil Legal Services (Remuneration)
Order (Northern Ireland) 2015**

Interim payments

6.—(1) Paragraphs (1) to (8) of this Article apply only to—

- (a) work which is being funded by way of advice and assistance; or
- (b) proceedings which are being funded by way of representation (lower courts).

(2) A solicitor may submit a claim to the Department for payment of a disbursement for which the solicitor has incurred liability in accordance with the provisions of this Article.

(3) A claim for payment may be made where—

- (a) the disbursement falls within any guidance issued by the Department in respect of advice and assistance or representation (lower courts), or the solicitor has obtained prior authority from the Director under the General Regulations to incur the expenditure;

[^{F1}(b) subject to paragraph (3A), the total liability for such disbursement exceeds £500; and]

- (c) the solicitor has [^{F2}incurred] such liability.

[^{F3}(3A) For the purposes of this Article, where a liability has been incurred as a result of the joint instruction of an expert, sub-paragraph (3)(b) shall be deemed to be satisfied provided that the total cost as between those jointly instructing that expert exceeds £500.]

(4) Without prejudice to Article 10(4), a claim under paragraph (2) shall not exceed £2,500 or the maximum fee authorised under the prior authority, whichever is the greater.

(5) A claim for payment under paragraph (2) may be made at any time before the solicitor submits a claim for remuneration under Article 8(2).

(6) A claim under paragraph (2) shall be submitted to the Department in such form and manner as it may direct and shall be accompanied by the authority to incur the expenditure (if applicable) and any invoices or other documents in support of the claim.

(7) The Department shall allow the disbursement, subject to the limit in paragraph (4), if it appears to have been reasonably incurred and discharged in accordance with the guidance or prior authority.

(8) Where the Department allows the disbursement, it shall notify the solicitor and authorise payment to the solicitor accordingly.

(9) Paragraphs (10) and (11) of this Article apply only to a case which is being funded by way of representation (higher courts).

(10) A [^{F4}representative] acting for an assisted person may apply to the Department for the payment of a sum on account of costs incurred or to be incurred in connection with the proceedings to which the certificate relates.

(11) On considering the application, the Department may authorise an interim payment to the [^{F5}representative] of the amount applied for or of such other sum as the Department considers appropriate in the circumstances pending the assessment by the Department or, as the case may be, the taxation of such costs.

(12) Articles 13 to 15 (redetermination etc.) shall not apply to a payment under this Article.

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| <p>F1 Art. 6(3)(b) substituted (1.7.2019) by The Civil Legal Services (Remuneration) (Amendment) Order (Northern Ireland) 2019 (S.R. 2019/119), arts. 1, 3(1)(a)</p> <p>F2 Word in art. 6(3)(c) substituted (1.7.2019) by The Civil Legal Services (Remuneration) (Amendment) Order (Northern Ireland) 2019 (S.R. 2019/119), arts. 1, 3(1)(b)</p> <p>F3 Art. 6(3A) inserted (1.7.2019) by The Civil Legal Services (Remuneration) (Amendment) Order (Northern Ireland) 2019 (S.R. 2019/119), arts. 1, 3(2)</p> <p>F4 Word in art. 6(10) substituted (1.7.2019) by The Civil Legal Services (Remuneration) (Amendment) Order (Northern Ireland) 2019 (S.R. 2019/119), arts. 1, 3(3)</p> <p>F5 Word in art. 6(11) substituted (1.7.2019) by The Civil Legal Services (Remuneration) (Amendment) Order (Northern Ireland) 2019 (S.R. 2019/119), arts. 1, 3(3)</p> |
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Changes to legislation:

There are currently no known outstanding effects for the The Civil Legal Services (Remuneration) Order (Northern Ireland) 2015, Section 6.