
STATUTORY INSTRUMENTS

1996 No. 648

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

**The Legal Advice and Assistance at Police Stations
(Remuneration) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>7th March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 34 and 43 of the Legal Aid Act 1988⁽¹⁾, having had regard to the matters specified in section 34(9) and having consulted the General Council of the Bar and the Law Society, and with the consent of the Treasury, hereby makes the following Regulations—

1.—(1) These Regulations may be cited as the Legal Advice and Assistance at Police Stations (Remuneration) (Amendment) Regulations 1996 and shall come into force on 1st April 1996.

(2) These Regulations shall apply for the purposes of work done on or after 1st April 1996 to which the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989⁽²⁾ apply.

2. The Schedule to these Regulations shall be substituted for the Schedule to the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989.

Dated 5th March 1996

Mackay of Clashfern, C.

(1) 1988 c. 34; sections 34 and 43 were amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraphs 60 and 63. Section 43 is an interpretation provision and is cited because of the meaning assigned to the word “regulations”.

(2) S.I.1989/342; the relevant amending instruments are S.I. 1990/487, 1991/527, 1992/594, 1994/1824 and 1995/950.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

We consent,

Dated 7th March 1996

Simon Burns
Derek Conway
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Regulation 2

“SCHEDULE

Regulation 5

1.—(1) The Board shall, subject to paragraphs 2 and 3, allow fees for work allowed by it under regulation 5 at the following rates:

<i>Class of work</i>	<i>Rate</i>	
a) availability during duty period.	£3.65 per hour served, to a maximum of £88.00 –	(£3.75 per hour served to a maximum of £89.25 in respect of a solicitor whose office is situated within legal aid area 1).
b) advice and assistance to a person arrested and held in custody, or being interviewed in connection with a serious service offence or to a volunteer, given	£60.00 per hour	
(i) by a duty solicitor in unsocial hours		
(ii) by a duty solicitor in all other hours	£45.50 per hour–	(£48.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£45.50 per hour–	(£48.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
c) travelling and waiting	£60.00 per hour	
(i) by a duty solicitor in unsocial hours		
(ii) by a duty solicitor in all other hours	£45.50 per hour–	(£48.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£25.25 per hour	
d) advising and assisting over the telephone	£20.75 per item–	(£21.50 per item in respect of a solicitor whose office is situated within legal aid area 1)
e) routine telephone calls	£3.50 per item–	(£3.60 per item in respect of a solicitor whose office is situated within legal aid area 1)

(2) In paragraphs 1(1) and 3, “legal aid area 1” means the area so numbered by the Board under regulation 4(1) of the Civil Legal Aid (General) Regulations 1989⁽³⁾.

2. The fee allowed under paragraph 1(1)(a) shall be reduced by the amount of any other fees allowed under that paragraph for work done as a duty solicitor during that duty period to a maximum of one half of the fee allowed under paragraph 1(1)(a).

(3) S.I. 1989/339; the relevant amending instrument is S.I. 1994/1822.

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3. In the case of a franchisee, the Board shall allow fees for work allowed by it under regulation 5 at the following rates:

<i>Class of work</i>	<i>Rate</i>	
a) availability during duty period.	£3.80 per hour served, to a maximum of £90.75–	(£3.85 per hour served to a maximum of £92.00 in respect of a solicitor whose office is situated within legal aid area 1).
b) advice and assistance to a person arrested and held in custody, or being interviewed in connection with a serious service offence or to a volunteer, given	£61.75 per hour	
(i) by a duty solicitor in unsocial hours		
(ii) by a duty solicitor in all other hours	£46.50 per hour–	(£50.25 per hour in respect of a solicitor whose office is situated within legal aid area 1).
(iii) by an own solicitor	£46.50 per hour–	(£50.25 per hour in respect of a solicitor whose office is situated within legal aid area 1).
c) travelling and waiting	£61.75 per hour	
(i) by a duty solicitor in unsocial hours		
(ii) by a duty solicitor in all other hours	£46.50 per hour–	(£50.25 per hour in respect of a solicitor whose office is situated within legal aid area 1).
(iii) by an own solicitor	£25.75 per hour	
d) advising and assisting over the telephone	£21.25 per item–	(£22.00 per item in respect of a solicitor whose office is situated within legal aid area 1).
e) routine telephone calls	£3.60 per item–	(£3.75 per item in respect of a solicitor whose office is situated within legal aid area 1).”

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989 to increase the rates of remuneration for work done on or after 1st April 1996.