

SCHEDULE

AMENDMENTS TO CHURCH OF ENGLAND (LEGAL AID) RULES 1995

Assessment of costs

- 6 (1) In rule 26 (assessment of costs), after paragraph (4) insert—
- “(4A) The power of the Commission under paragraph (3) or (4) to assess costs may be exercised by the chairman in consultation with the secretary in a case where—
- (a) an interim certificate for legal aid has been issued under rule 10, or
 - (b) a certificate for legal aid has been issued under rule 11 (whether or not an interim certificate was granted in that case) for the payment of a contribution towards costs not exceeding £2,000 (or any greater sum for the time being authorised by the Commission for the purposes of this paragraph).”
- (2) After paragraph (4A) of that rule (inserted by sub-paragraph (1) of this paragraph) insert—
- “(4B) The Commission shall have power to require the production of such information or documents (in addition to the solicitor’s bill of costs) as it considers necessary for carrying out an assessment of costs under this rule.”
- (3) In paragraph (1)(b) of that rule—
- (a) for “£1000” substitute “£3,000”, and
 - (b) for “this rule” substitute “this paragraph”.
- (4) In each of paragraphs (3) and (4) of that rule, before “may” insert “, subject to paragraph (4A),”.
- (5) In paragraph (5)(b) of that rule, after “the Commission” insert “, or the chairman when acting under paragraph (4A),”.
- (6) In rule 27 (appointment of committee), in paragraph (1), at the end insert “(and in a case where rule 26 applies, the power under this paragraph is not exercisable in so far as costs have been assessed by the chairman of the Commission acting under paragraph (4A) of that rule).”