
STATUTORY INSTRUMENTS

2013 No. 422

The Civil Legal Aid (Remuneration) Regulations 2013

Payments on account by the Lord Chancellor direct to barristers in independent practice

11.—(1) Subject to paragraphs [^{F1}(6) and (7)], where a provider has instructed a barrister in independent practice to carry out work that is not Controlled Work, the barrister may apply [^{F2}from time to time] to the Lord Chancellor on a form approved by the Lord Chancellor for payment on account of remuneration for the civil legal services provided by the barrister ^{F3}....

^{F4}(2)

^{F4}(3)

^{F4}(4)

^{F4}(5)

(6) An application under paragraph (1) may not be made in respect of advocacy services in family proceedings.

[^{F5}(7) In addition, an application under paragraph (1) may not be made—

- (a) before the end of the period of three months beginning with the date on which the Director determined under section 9 of the Act that the legally aided person qualified for civil legal services;
- (b) if it is the second or subsequent application under that paragraph in connection with services provided to the person mentioned in sub-paragraph (a), less than three months after the date on which the previous application was made.

(8) For the purposes of paragraph (7)—

- (a) it does not matter whether the Director makes the determination under section 9 of the Act before, on or after 7th October 2020;
- (b) where the barrister has made one or more applications under paragraph (1) before 7th October 2020 in connection with services provided to a particular legally aided person, that application or, as the case may be, the last of those applications is to be treated as the first application for the purposes of determining when the barrister may make a further application under paragraph (1).]

Textual Amendments

- F1** Words in reg. 11(1) substituted (7.10.2020) by The Civil Legal Aid (Remuneration) (Amendment) (No. 2) (Coronavirus) Regulations 2020 (S.I. 2020/1001), regs. 1(2), **2(3)(a)(i)**
- F2** Words in reg. 11(1) inserted (7.10.2020) by The Civil Legal Aid (Remuneration) (Amendment) (No. 2) (Coronavirus) Regulations 2020 (S.I. 2020/1001), regs. 1(2), **2(3)(a)(ii)**
- F3** Words in reg. 11(1) omitted (7.10.2020) by virtue of The Civil Legal Aid (Remuneration) (Amendment) (No. 2) (Coronavirus) Regulations 2020 (S.I. 2020/1001), regs. 1(2), **2(3)(a)(iii)**
- F4** Reg. 11(2)-(5) omitted (7.10.2020) by virtue of The Civil Legal Aid (Remuneration) (Amendment) (No. 2) (Coronavirus) Regulations 2020 (S.I. 2020/1001), regs. 1(2), **2(3)(b)**

Changes to legislation: *The Civil Legal Aid (Remuneration) Regulations 2013, Section 11 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F5 Reg. 11(7)(8) inserted (7.10.2020) by The Civil Legal Aid (Remuneration) (Amendment) (No. 2) (Coronavirus) Regulations 2020 (S.I. 2020/1001), regs. 1(2), **2(3)(c)**

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 5A(3)(a) omitted by [S.I. 2015/1369 reg. 5\(3\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 5 revoked (31.3.2016) before coming into force by S.I. 2016/313, regs. 1(1), 2(a)(ii), 3)
- reg. 5A(3)(j) substituted by [S.I. 2015/1369 reg. 5\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 5 revoked (31.3.2016) before coming into force by S.I. 2016/313, regs. 1(1), 2(a)(ii), 3)
- reg. 7(4B) inserted by [S.I. 2023/1177 reg. 3\(2\)\(b\)](#)