

STATUTORY INSTRUMENTS

2013 No. 435

The Criminal Legal Aid (Remuneration) Regulations 2013

Payment of fees to advocates – Crown Court

23.—(1) Having determined the fees payable to each [^{F1}trial] advocate, in accordance with Schedule 1, the appropriate officer must notify each [^{F1}trial] advocate of the fees payable and authorise payment accordingly.

(2) Where, as a result of any redetermination or appeal made or brought pursuant to regulations 28 to 30, the fees payable under paragraph (1) are altered—

- (a) if they are increased, the appropriate officer must authorise payment of the increase; or
- (b) if they are decreased, [^{F2}the trial] advocate must repay the amount of such decrease.

(3) Where the payment of any fees of [^{F3}a trial] advocate is ordered under regulation 29(12) or regulation 30(8), the appropriate officer must authorise payment.

[^{F4}(4) In this regulation, where the main hearing is a trial, “trial advocate” means an advocate who—

- (a) is instructed pursuant to a section 16 determination to represent the assisted person at the trial, and
- (b) attends the first day of the trial][^{F5}, and for this purpose “trial” excludes any cross-examination or re-examination to which paragraph 13A(3) of Schedule 1 applies.]

Textual Amendments

- F1** Word in reg. 23(1) substituted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(5)(c)** (with reg. 3)
- F2** Words in reg. 23(2)(b) substituted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(6)(c)** (with reg. 3)
- F3** Words in reg. 23(3) substituted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(3)(e)** (with reg. 3)
- F4** Reg. 23(4) inserted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(12)** (with reg. 3)
- F5** Words in reg. 23(4)(b) inserted (1.2.2023) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2023 \(S.I. 2023/97\)](#), regs. 1(1), **2(6)** (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Legal Aid (Remuneration) Regulations 2013, Section 23.