
STATUTORY INSTRUMENTS

2013 No. 511

**The Criminal Legal Aid (Recovery of
Defence Costs Orders) Regulations 2013**

Interpretation

2. In these Regulations—

“the Act” means the Legal Aid, Sentencing and Punishment of Offenders Act 2012;

“capital” means the amount or value of every resource of a capital nature;

“criminal legal aid” means representation made available under section 16 (representation for criminal proceedings) of the Act;

“gross annual income” means a represented individual’s total income from all sources during the year ending on the date on which the application for a determination under section 16 of the Act is made in relation to relevant proceedings;

“provider” means a person with whom the Lord Chancellor has made an arrangement under section 2(1) of the Act (arrangements) for the provision of criminal legal aid;

“qualifying benefit” means—

(a) income support payable under section 124 of the Social Security Contributions and Benefits Act 1992(1) or section 123 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(2);

(b) income-based jobseeker’s allowance payable under the Jobseekers Act 1995(3) or an allowance payable under Part II of the Jobseekers (Northern Ireland) Order 1995(4);

(c) guarantee credit payable under section 1(3)(a) of the State Pension Credit Act 2002(5) or section 1(3)(a) of the State Pension Credit Act (Northern Ireland) 2002(6);

(d) income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007(7) or section 1(2)(b) of the Welfare Reform Act (Northern Ireland) 2007(8); and

(e) universal credit payable under Part 1 of the Welfare Reform Act 2012(9);

“Recovery of Defence Costs Order (an “RDCO”)” means a document that records a determination made under these Regulations;

“registrar” means the registrar of the Supreme Court or the registrar of criminal appeals and any officer designated to act on their behalf;

“relevant court” means the court before which the proceedings are heard;

(1) 1992 c. 4. Section 124 is to be repealed by Part 1 of Schedule 14 to the Welfare Reform Act 2012 at a date to be appointed.
(2) 1992 c. 7.
(3) 1995 c. 18.
(4) S.I. 1995/2705 (N.I. 15).
(5) 2002 c. 16.
(6) 2002 c. 14.
(7) 2007 c. 5.
(8) 2007 c. 2.
(9) 2012 c. 5.

Status: This is the original version (as it was originally made).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

“relevant proceedings” means criminal proceedings before any court other than the magistrates’ court or the Crown Court; and

“represented individual” means an individual to whom representation is provided under section 16 of the Act in relation to relevant proceedings.