
STATUTORY INSTRUMENTS

2020 No. 1001

**The Civil Legal Aid (Remuneration) (Amendment)
(No. 2) (Coronavirus) Regulations 2020**

Amendment of the Civil Legal Aid (Remuneration) Regulations 2013

- 2.—(1) The Civil Legal Aid (Remuneration) Regulations 2013⁽¹⁾ are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) in the definition of “advocacy services”, after “those services”, insert “but does not include anything done that falls under the definition of “online procedure advocacy services””;
 - (b) after the definition of “legally aided person”, insert—
““online procedure advocacy services” means advocacy in relation to online procedure cases, and fees and rates for online procedure advocacy services include remuneration for travelling and waiting in relation to those services;”.
- (3) In regulation 11 (payments on account direct to barristers in independent practice)—
- (a) in paragraph (1)—
 - (i) for “(5) and (6)” substitute “(6) and (7)”;
 - (ii) after “may apply” insert “from time to time”;
 - (iii) omit “where any of the conditions in paragraphs (2) to (4) apply”;
 - (b) omit paragraphs (2) to (5);
 - (c) after paragraph (6), insert—
“(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).”.
- (4) In regulation 12 (payments on account direct to barristers in independent practice)—

⁽¹⁾ S.I. 2013/422, as amended by S.I. 2015/898 and 2020/515. There are other amending instruments but none is relevant.

Status: This is the original version (as it was originally made).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

- (a) in paragraph (1), for “75%” substitute “80%”;
- (b) in paragraph (2)(b) for “11(2)” substitute “11(7)(a)”.
- (5) In Schedule 1 (fees and rates of remuneration)—
- (a) in Part 1, after Table 4(c), insert—

“Table 4(ca)

Immigration and Asylum Online Procedure Advocacy Services Standard Fees

<i>Activity</i>	<i>Advocacy Services Standard Fee</i>
Oral Case Management Review Hearing	£166
Telephone Case Management Review Hearing	£90
Substantive Hearing in the Immigration and Asylum Chamber of the First-tier Tribunal	Asylum - £302 Immigration - £237
Additional Day Substantive Hearing	Asylum - £161 Immigration - £161”;

- (b) in Part 2, after Table 8(c), insert—

“Table 8(ca)

Controlled Legal Representation – Immigration and Asylum Online Procedure hourly rates cases

<i>Activity</i>	<i>London Rate</i>	<i>Non-London Rate</i>
Preparation and Attendance	£55.08 per hour	£51.53 per hour
Routine Letters Out and Telephone Calls	£3.96 per hour	£3.69 per hour”.