

**2021 No. 497**

**LEGAL AID AND ADVICE, ENGLAND AND WALES**

**The Criminal Legal Aid (Remuneration) (Amendment) (No. 2)  
Regulations 2021**

|                               |         |                        |
|-------------------------------|---------|------------------------|
| <i>Made</i>                   | - - - - | <i>21st April 2021</i> |
| <i>Laid before Parliament</i> |         | <i>23rd April 2021</i> |
| <i>Coming into force</i>      | - -     | <i>7th June 2021</i>   |

The Lord Chancellor makes these Regulations in exercise of the powers conferred by sections 2(3) and 41(1)(a) and (b), and (2)(a) and (b) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(a).

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Criminal Legal Aid (Remuneration) (Amendment) (No. 2) Regulations 2021 and come into force on 7th June 2021.

(2) These Regulations extend to England and Wales.

**Amendment of the Criminal Legal Aid (Remuneration) Regulations 2013**

2. In the Criminal Legal Aid (Remuneration) Regulations 2013(b), in Schedule 4 (rates payable for the claims specified in regulation 8), after paragraph 3, insert—

**“Advice and Assistance for Pre-Charge Engagement**

3A.—(1) The hourly rates for advice and assistance for Pre-Charge Engagement are—

- (a) £51.28 in London;
- (b) £47.45 outside London.

(2) This Unit of Work is subject to an Upper Limit of £273.75.”

21st April 2021

*Robert Buckland*  
Lord Chancellor  
Ministry of Justice

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Criminal Legal Aid (Remuneration) Regulations 2013 (S.I. 2013/435) (“the Remuneration Regulations”).

The Remuneration Regulations make provision for remuneration for advice and assistance made available under sections 13 (advice and assistance for individuals in custody) and 15 (advice and assistance for criminal proceedings) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the Act”). Regulation 8 of those Regulations includes provision that a claim for such remuneration must be made and determined in accordance with the 2017 Standard Crime Contract (the contract between the Lord Chancellor and a person with whom the Lord Chancellor has made an arrangement under section 2(1) of the Act for the provision of advice and assistance made available under sections 13 and 15 of the Act), and paid in accordance with the rates set out in Schedule 4 to those Regulations.

Regulation 2 of these Regulations amends Schedule 4 to the Remuneration Regulations to provide for remuneration rates and an upper limit for advice and assistance for pre-charge engagement work.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Legal Aid Policy Team, Access to Justice Directorate, Justice and Courts Policy Group, Ministry of Justice, 102 Petty France, London SW1H 9AJ. The impact assessment is annexed to the Explanatory Memorandum which is available alongside these Regulations on the UK legislation website at <http://www.legislation.gov.uk>.

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