

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amends regulation 21 of the Criminal Legal Aid (Remuneration) Regulations 2013 (S.I. 2013/435) (the “Remuneration Regulations”).

The Remuneration Regulations provide for the remuneration of litigators and advocates in respect of advice, assistance and representation made available under sections 13, 15 and 16 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10). In particular, regulation 21 of the Remuneration Regulations provides the circumstances under which litigators and advocates may be paid hardship payments.

Regulation 2 reduces the time period which must pass before a litigator or advocate may apply for a hardship payment from six months after instruction to one month after instruction, and reduces the minimum value at which a hardship payment may be paid from £5,000 to £450.

Regulation 3 provides that these Regulations will apply only to applications for a hardship payment made on, or after, the day on which these Regulations come into force.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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