STATUTORY INSTRUMENTS

2017 No. 311

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Criminal Legal Aid (Standard Crime Contract) (Amendment) Regulations 2017

Made - - - -	*7th March 2017*
Laid before Parliament	*10th March 2017*
Coming into force - -	*1st April 2017*

The Lord Chancellor makes the following Regulations(**1**) in exercise of the powers conferred by sections 2(3), 13(4) and (5), 15(5) to (7) and (9), 21(2), and 41(2) and (3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(**2**).

Citation and commencement

1. These Regulations may be cited as the Criminal Legal Aid (Standard Crime Contract) (Amendment) Regulations 2017 and come into force on 1st April 2017.

Amendments to the Criminal Legal Aid (General) Regulations 2013

2.—(1) The Criminal Legal Aid (General) Regulations 2013(**3**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) for the definition of "Unit of Work" substitute—

> ""Unit of Work" has the meaning given in paragraph 1.3 of the Specification to the 2017 Standard Crime Contract", and

(b) in the definition of "2010 Standard Crime Contract", for "2010 Standard Crime Contract", substitute "2017 Standard Crime Contract".

(3) In each of the following places, for "2010 Standard Crime Contract" substitute "2017 Standard Crime Contract"—

(a) regulation 8(b) (applications);

(**1**) Section 42(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) provides that in Part 1 of that Act "regulations" means regulations made by the Lord Chancellor.
(**2**) 2012 c. 10.
(**3**) S. I. 2013/9, amended by S.I. 2013/2790; there are other amending instruments but none is relevant.

(b) regulation 11(3) (general);

(c) regulation 14 (applications), in both places it occurs;

(d) regulation 15(1)(b) (determinations);

(e) regulation 16(e)(ii) (withdrawal), and

(f) regulation 17(b) (appeal).

Amendment to the Criminal Legal Aid (Remuneration) Regulations 2013

3.—(1) The Criminal Legal Aid (Remuneration) Regulations 2013(**4**) are amended as follows.

(2) In regulation 3(5) (scope), omit "9,".

(3) After regulation 3(5), insert—

"(5A) Regulation 9 applies to proceedings in magistrates' courts, to proceedings in the Crown Court and to proceedings in the Court of Appeal.".

(4) In regulation 8 (claims for fees for certain categories of work to which the Standard Crime Contract applies), in both places it occurs, for "2010 Standard Crime Contract", substitute "2017 Standard Crime Contract".

(5) In Schedule 4 (Rates payable for the claims specified in Regulation 8)—

(a) in paragraph 1(a) (interpretation of this Schedule), for "2010 Standard Crime Contract", substitute "2017 Standard Crime Contract";

(b) in paragraph 2(8) (work conducted at the Police Station: Police Station advice and assistance), for "2010 Standard Crime Contract", substitute "2017 Standard Crime Contract";

(c) in paragraph 3(4) (work conducted outside the Police Station)—

(i) for the words from "the magistrates' court" to "bail conditions", substitute "magistrates' courts in connection with an application relating to police bail";

(ii) for the heading of the table, substitute "Advocacy Assistance in magistrates' courts in connection with an application relating to police bail", and

(d) in paragraph 7(2) (representation in proceedings prescribed as criminal proceedings under section 14(h) of the Act), after "sub-paragraph", insert "and this Unit of Work is subject to an Upper Limit of £1,368.75.".

Amendment to the Criminal Legal Aid (Financial Resources) Regulations 2013

4. In regulation 5(2) (Advice and assistance: exceptions from requirement to make a determination in respect of an individual's financial resources) of the Criminal Legal Aid (Financial Resources) Regulations 2013(**5**), for each reference to "2010 Standard Crime Contract", substitute "2017 Standard Crime Contract".

Transitional Provision

5.—(1) These Regulations do not apply to services made available pursuant to a determination made before 1st April 2017.

(2) In this regulation, "determination" means a determination under section 13 (advice and assistance for individuals in custody), 15 (advice and assistance for criminal proceedings) or 16

(**4**) S.I. 2013/435. Relevant amending instruments are: S.I. 2013/2803, 2015/325, 2015/1416 and 2016/313; there are other amending instruments but none are relevant.

(**5**) S.I. 2013/471, to which there are amendments not relevant to these Regulations.