STATUTORY INSTRUMENTS

2015 No. 2049

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Criminal Legal Aid (Remuneration etc.) (Amendment) (No. 2) Regulations 2015

Made - - - -	*15th December 2015*
Laid before Parliament	*17th December 2015*
Coming into force - -	*10th January 2016*

The Lord Chancellor makes these Regulations(**1**) in exercise of the powers conferred by sections 2(3), 13(4) and (5), 15(1), (6), (7) and (9), 21(2) and 41(1) to (3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(**2**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Criminal Legal Aid (Remuneration etc.) (Amendment) (No. 2) Regulations 2015.

(2) These Regulations come into force on 10th January 2016.

(3) In these Regulations, "the Amending Regulations" means the Criminal Legal Aid (Remuneration etc.) (Amendment) Regulations 2015(**3**).

Amendments to the Amending Regulations: commencement and transitional provisions

2. In the following provisions of the Amending Regulations, for "11th January" substitute "1st April"—

(a) regulation 1(2)(b) (commencement);

(b) regulation 2(2) (transitional provisions), and

(c) the heading of Part 3 (amendments coming into force on 11th January 2016).

(**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 and "prescribed" means prescribed by regulations (except in Schedule 6).
(**2**) 2012 c. 10.
(**3**) S.I. 2015/1369.

Amendments to Regulations 4 to 6 of the Amending Regulations

3.—(1) In regulation 4(2) of the Amending Regulations (amendments to the Criminal Legal Aid (General) Regulations 2013)—

(a) in the definition of "relevant contract" in sub-paragraph (a), after "whichever of the" insert "2010 Standard Crime Contract,";

(b) in sub-paragraph (b)—

(i) before "1.5" insert "paragraph";

(ii) omit "1.1 of the Standard Terms to", and

(iii) in sub-paragraph (c), before "2015 Duty Provider Crime Contract" insert ""2010 Standard Crime Contract",".

(2) In regulation 5(2) of the Amending Regulations (amendments to the Civil Legal Aid (Remuneration) Regulations 2013), for sub-paragraphs (a) and (b) substitute—

"(a) in the definition of "the relevant contract", for "or the 2015 Standard Civil Contract" substitute ", the 2015 Standard Civil Contract, the 2015 Duty Provider Crime Contract or the 2015 Own Client Crime Contract", and

(b) in the definition beginning "the 2010 Standard Civil Contract", for "and "the 2015 Standard Civil Contract"" substitute ", "the 2015 Standard Civil Contract", "the 2015 Duty Provider Crime Contract" and "the 2015 Own Client Crime Contract"".".

(3) In regulation 6(3)(c) of the Amending Regulations (amendments to the Criminal Legal Aid (Remuneration) Regulations 2013)—

(a) in the definition of "relevant contract", after "whichever of the" insert "2010 Standard Crime Contract,", and

(b) at the beginning of the definition beginning "2015 Duty Provider Crime Contract", insert ""2010 Standard Crime Contract",".

Substitution of Regulation 7 of the Amending Regulations

4. For regulation 7 of the Amending Regulations, substitute—

"**7.** In regulation 5(2) (interpretation) of the Criminal Legal Aid (Financial Resources) Regulations 2013(**4**)—

(a) for the definition of "2010 Standard Crime Contract" substitute—

""2010 Standard Crime Contract" and "2015 Duty Provider Crime Contract" mean the contracts so named between the Lord Chancellor and a provider of advice and assistance or representation made available under sections 13, 15 or 16 of the Act;";

(b) for the definition of "duty solicitor" substitute—

""Duty Lawyer has the meaning given in the relevant contract;";

(c) in the definition of "relevant advice and assistance", in sub-paragraph (b), for the words from "by a duty solicitor" to the end of sub-paragraph (b) substitute "at court by a Duty Lawyer acting in accordance with the relevant contract;", and

(d) at the appropriate place insert—

""relevant contract" means whichever of the 2010 Standard Crime Contract or 2015 Duty Provider Contract governs the provision of advice

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