1980 No. 192

LEGAL AID

Legal Aid (Remuneration of Solicitors and Counsel in County Court Proceedings) Order (Northern Ireland) 1980

Made	*11th June 1980*
Coming into operation . . .	*23rd July 1980*
To be laid before Parliament	

The Secretary of State in pursuance of section 6(6) of and paragraphs 1(2)(*b*), 2(2)(*b*) and 6 of Schedule 3 to the Legal Aid and Advice Act (Northern Ireland) 1965(**a**), hereby, after consultation with the County Court Rules Committee, makes the following order:

Citation, operation and application

1.—(1) This order may be cited as the Legal Aid (Remuneration of Solicitors and Counsel in County Court Proceedings) Order (Northern Ireland) 1980.

(2) This order shall come into operation on 23rd July 1980 and shall apply only to proceedings commenced after that date.

Sums allowed to solicitors and counsel in proceedings in the county court

2.—(1) The sums allowed to solicitors or counsel acting for assisted persons in any proceedings in the county court, other than under its equity jurisdiction or those remitted to it by the High Court, shall be such as are assessed by the Legal Aid Committee.

(2) The sums so allowed to solicitors shall be such as are prescribed or regulated on a solicitor and client basis under any enactment relating to such proceedings and, subject to article 3, where no amount is so prescribed or regulated, shall not exceed £300 for profit costs together with an amount equal to all outlay reasonably incurred by the solicitor.

(3) The sums so allowed to counsel shall be not less than such amounts as are prescribed under any enactment relating to such proceedings and subject to article 3, where no amount is so prescribed or regulated, shall not exceed £70 together with a further amount in respect of each day on which an adjourned hearing takes place of one half of the amount allowed apart from that further amount under paragraph (1).

Judge may in exceptional cases certify that limit of assessment shall not apply

3. Where a solicitor or counsel acting for an assisted person considers the sum allowable under article 2 would not provide fair remuneration according to the work reasonably undertaken and properly done, he may apply to the judge before whom the proceedings took place for a certificate that for any reason including the exceptional length, difficulty or complexity of the proceedings the limitation on the sums allowable under article 2 shall not apply and where such certificate is granted the Legal Aid Committee shall allow such sums as appear to it to represent fair remuneration according to work reasonably undertaken and properly done.

(a) 1965 c. 8 (N.I) as modified by S.I. 1973/2163 (1973 III, p. 7541)