

Authorisations given pursuant to section 6, for the purposes of section 5(2) and section 5(4), of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, in relation functions of the Lord Chancellor and the Director under the Criminal Legal Aid (Remuneration) Regulations 2013 (SI2013/435)

<b>Criminal Legal Aid (Remuneration) Regulations 2013</b>			
<b>Regulation</b>	<b>Function</b>	<b>Who exercises the function in the Regulations</b>	<b>Who is authorised to exercise the function in practice</b>
4 (Claims for fees by advocates – Crown Court)	Directing the form and manner of a claim for fees, receiving a claim for fees, and requesting and receiving further information and documents, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
5 (Claims for fees and disbursements by litigators – Crown Court)	Directing the form and manner of a claim for fees, receiving a claim for fees, and requesting and receiving further information and documents, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
12(1) (Notification of Very High Cost Cases)	Receiving notification that a case is or is likely to be classified as a Very High Cost Case	The Lord Chancellor	The Legal Aid Agency
12(2) and (3) (Notification of Very High Cost Cases)	Refusing to pay the litigator's costs up to the extent to public funds	The Lord Chancellor	The Legal Aid Agency
13(1) (Authorisation for expenditure)	Receiving a request for prior authority	The Lord Chancellor	The Legal Aid Agency

13(2) (Authorisation for expenditure)	Authorising prior authority and specifying the maximum to be paid under it	The Lord Chancellor	The Legal Aid Agency
13(3) (Authorisation for expenditure)	Receiving a request for prior authority from a representative assigned to an assisted person.	The Lord Chancellor	The Legal Aid Agency
14(1) & (5) (Interim payment of disbursement)	Directing the form and manner of a claim for disbursements and receiving a claim for disbursements, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
14(6)–(8) (Interim payment of disbursement)	Allowing the disbursement, notifying the litigator, any other person whose feed or charges are included in the claim, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
15 (Interim disbursements and final determination of fees)	Making a final determination of fees and deducting or adding the difference of the interim payment and final determination to the amount payable to the litigator, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
16(2) (Expert services)	Increasing the fixed fees or rate in exceptional circumstances and determining if exceptional circumstances exist, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
17 (Determination of litigators' disbursements)	Allowing disbursements, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency

17(6) and (7) (Determination of litigators' disbursements)	Receiving and considering a request for the funding of an expert service	The Lord Chancellor	The Legal Aid Agency
18 (Interim payments in cases awaiting determination of fees)	Receiving a claim for, considering and authorising, an interim payment, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
20 (Staged payments in Crown Court proceedings)	Specify the form and manner, and receiving a claim from an advocate for a staged payment, and considering a staged payment, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
21 (Hardship payments)	Specify the information and documents needed for, and receiving a claim for a hardship payment, considering a hardship payment, and providing notification of the payments, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
22 (Computation of final claim where an interim payment has been made)	Determining the amount payable on a final claim when an interim, staged, or hardship payment has been made, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
23 (Payment of fees to advocates – Crown Court)	Notifying instructed advocates of fees payable and authorising payment, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
24 (Payment of fees)	Notifying the litigator of amount payable	The Lord	The Legal Aid Agency

to litigators – Crown Court)	if different from that claimed, and authorising payment, when the appropriate officer is the Lord Chancellor	Chancellor	
25 (Recovery of overpayments)	Taking steps to recover overpayments, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
26(1) (Adverse observations)	Reducing any fee due to the court making adverse observations concerning a representative's conduct, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
26(2) (Adverse observations)	Receiving representations from the representative, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
27 (Wasted costs orders)	Deducting wasted costs orders from payment, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
28(1) (Redetermination of fees)	Receiving an application: for a redetermination of fees, to review a decision, or to reclassify an offence, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
28(3)(c) (Redetermination of fees)	Specifying the form and manner of an application for redetermination, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
28(5) (Redetermination of fees)	Notifying the applicant of hearing date and time, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency

28(6) (Redetermination of fees)	Requesting and receiving further information and documents, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
28(7) (Redetermination of fees)	Consideration of the request for redetermination and notifying the applicant of the decision, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
28(8) (Redetermination of fees)	Providing written reasons for the decision, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
29(3) (Appeals to a Costs Judge)	Receiving a notice of appeal, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
29(11) (Appeals to a Costs Judge)	Providing information to the Costs Judge, when the appropriate officer is the Lord Chancellor	The Lord Chancellor	The Legal Aid Agency
29(13) (Appeals to a Costs Judge)	Receiving the Costs Judges decision, including where the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency Criminal Legal Aid Policy, MoJ
31 (Time limits)	Extending the time limit, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 1(5)	Deciding whether to include exhibit served in electronic form, which has never existed in paper form, in page count	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 1(6)	Determining the number of pages in cases not committed for trial	The Lord Chancellor	The Legal Aid Agency

Schedule 1, 3(1)(c)	Assessing value involved in offence	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 3(2) & (3) (Class of Offences)	Receiving an application for reclassification, considering the application and notifying the applicant of the outcome, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 14(3)(c) (Confiscation hearings)	Allowing a written report of an expert, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 17(5) (Fees for special preparation)	Requesting and receiving information and documents, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 17(6) (Fees for special preparation)	Taking into account all the relevant circumstances of the case	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 18(5) (Fees for wasted preparation)	Requesting and receiving information and documents, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 19(1)(e) (Fees for conferences and views)	Deciding if it was reasonable not to attend the trial advocate's chambers or office	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 19(2) (Fees for conferences and views)	Deciding that work was reasonably necessary	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 19(3) (Fees for conferences)	Deciding that work was reasonably necessary	The Lord Chancellor	The Legal Aid Agency

and views)			
Schedule 1, 19(4) & (5) (Fees for conferences and views)	Deciding that travel expenses and time were reasonably, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 20(4) & (5) (Fees for appeals, committals for sentence and breach hearing)	Allowing fees where the fixed fee would be inappropriate, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 26(1) (Payment of fees to instructed advocates)	Notifying instructed advocates and authorising payment, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 29 (Non-local appearances)	Allowing an amount for travel and other expenses, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 33(2) (Provision of written or oral advice)	Requiring and receiving information and documents, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 1, 34(2) (Mitigation of sentence)	Requiring and receiving information and documents, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 1(5) & (6) (Interpretation)	Determining the number of pages of prosecution evidence, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 3(1)(c) (Class of Offences)	Deciding that a claim is satisfactory, when the Lord Chancellor is the	The Lord Chancellor	The Legal Aid Agency

	appropriate officer		
Schedule 2, 3(2) & (3) (Class of Offences)	Receiving and application for, and considering reclassification of an offence, and notifying the litigator, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 20(1) (Fees for special preparation)	Considering if it is appropriate to include an exhibit in the pages of prosecution evidence, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 20(3) (Fees for special preparation)	Deciding on the number of hours that are reasonable, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 20(4) (Fees for special preparation)	Specifying and receiving information and documents, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 20(5) (Fees for special preparation)	Taking into account the relevant circumstances, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 26(2)-(5) (Fees for confiscation proceedings)	Allowing work done and allowing fees, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 26(5) (Fees for confiscation proceedings)	Deciding the appropriate grade of fee earner to allow, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency
Schedule 2, 27 (Allowing fees at less than the prescribed	Allowing fees, when the Lord Chancellor is the appropriate officer	The Lord Chancellor	The Legal Aid Agency

<p>(rates)</p>			
<p>Schedule 2, 28 (Allowing fees at less than the prescribed rates)</p>	<p>Allowing fees at less than the prescribed rate, when the Lord Chancellor is the appropriate officer</p>	<p>The Lord Chancellor</p>	<p>The Legal Aid Agency</p>
<p>Schedule 2, 29 (Allowing fees at more than the prescribed rates)</p>	<p>Allowing fees at more than the prescribed rate and determining exceptionality, when the Lord Chancellor is the appropriate officer</p>	<p>The Lord Chancellor</p>	<p>The Legal Aid Agency</p>