



Legal Aid Act 1988

1988 CHAPTER 34

PART III

ADVICE AND ASSISTANCE

10 Financial limit on prospective cost of advice or assistance

- (1) Where at any time (whether before or after the advice or assistance has begun to be given) it appears to a solicitor that the cost of giving advice or assistance to a person under this Part is likely to exceed the prescribed limit—
 - (a) the solicitor shall determine to what extent that advice or assistance can be given without exceeding that limit; and
 - (b) shall not give it (nor, as the case may be, instruct counsel to give it) so as to exceed that limit except with the approval of the Board.
- (2) Approval under subsection (1)(b) above may be given with or without limitations and may be amended, withdrawn or revoked.
- (3) For the purposes of this section the cost of giving advice or assistance shall be taken to consist of such of the following as are applicable in the circumstances, namely—
 - (a) any disbursements, that is to say, expenses (including fees payable to counsel) which may be incurred by the solicitor or his firm in, or in connection with, the giving of the advice or assistance; and
 - (b) any charges or fees (other than charges for disbursements) which would be properly chargeable by the solicitor or his firm in respect of the advice or assistance.