



Legal Aid, Sentencing and Punishment of Offenders Act 2012

2012 CHAPTER 10

PART 1

LEGAL AID

Contributions and costs

23 Payment for services

- (1) An individual to whom services are made available under this Part is not to be required to make a payment in connection with the provision of the services, except where regulations provide otherwise.
- (2) The regulations may, in particular, provide that in prescribed circumstances an individual must do one or more of the following—
 - (a) pay the cost of the services;
 - (b) pay a contribution in respect of the cost of the services of a prescribed amount;
 - (c) pay a prescribed amount in respect of administration costs.
- (3) The regulations may, in particular, provide that where—
 - (a) civil legal services are provided to an individual under this Part in relation to a dispute, and
 - (b) prescribed conditions are met,the individual must pay a prescribed amount which may exceed the cost of the civil legal services provided.
- (4) The regulations may, in particular, make provision about the determination of the cost of services for the purposes of the regulations.
- (5) The regulations may, in particular—

Status: This is the original version (as it was originally enacted).

- (a) provide for an individual's liability under the regulations to make a payment to change or cease in prescribed circumstances,
 - (b) provide for an individual's liability under the regulations to arise on a determination by a prescribed person,
 - (c) provide for such a determination to be varied or withdrawn by a prescribed person, and
 - (d) provide for the review of such a determination in respect of an individual's liability to make a payment.
- (6) The regulations may, in particular, provide that an individual is to be treated, for the purposes of the regulations, as having or not having financial resources of a prescribed description.
- (7) Regulations under subsection (6) may, in particular, provide that the individual is to be treated as having prescribed financial resources of a person of a prescribed description.
- (8) The regulations may, in particular, include provision for an amount to be payable entirely or partly—
- (a) by periodical payments;
 - (b) by one or more lump sums;
 - (c) out of income;
 - (d) out of capital.
- (9) The regulations may, in particular, include—
- (a) provision requiring information and documents to be provided,
 - (b) provision about the time and manner in which payments must be made,
 - (c) provision about the person to whom payments must be made, and
 - (d) provision about what that person must do with the payments.
- (10) The regulations may, in particular, make provision for the payment by an individual of interest, on such terms as may be prescribed, in respect of—
- (a) a loan made to the individual under this Part,
 - (b) a payment in connection with the provision of services which is not required by the regulations to be made by the individual until after the time when the services are provided, and
 - (c) so much of a payment as remains unpaid after the time when it is required by the regulations to be made by the individual.
- (11) The regulations—
- (a) must make provision for the repayment to an individual of any amount in excess of the individual's liability under the regulations or under section 24, and
 - (b) may make provision for the payment of interest on the excess.
- (12) In this section—
- “administration costs” means costs in connection with the administration of legal aid, including the administration of charges arising under section 25;
 - “prescribed amount” includes an amount calculated in a prescribed manner.