



STATUTORY INSTRUMENTS.

**S.I. No. 579 of 2018**



CRIMINAL JUSTICE (LEGAL AID) (AMENDMENT) REGULATIONS  
2018

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I, CHARLES FLANAGAN, Minister for Justice and Equality, in exercise of the powers conferred on me by section 10(1)(b) of the Criminal Justice (Legal Aid) Act 1962 (No. 12 of 1962) (as adapted by the Justice and Law Reform (Alteration of Name of Department and Title of Minister Order 2011 (S.I. No. 138 of 2011)), with the consent of the Minister for Public Expenditure and Reform, hereby make the following regulations:

1. (1) These Regulations may be cited as the Criminal Justice (Legal Aid) (Amendment) Regulations 2018.

(2) These Regulations are deemed to have come into operation on 1 November 2017.

2. Regulation 3(1) of the Criminal Justice (Legal Aid) (Amendment) Regulations 1978 (S.I. No. 33 of 1978) is amended by the substitution of the following subparagraph for subparagraph (g):

“(g) Where the same solicitor is assigned to two or more defendants in pursuance of two or more certificates for free legal aid and the cases to which the certificates relate are heard together and are not cases in the District Court or appeals to the Circuit Court, the fees (payable under the Act) of that solicitor shall be those to which he or she would have been entitled in accordance with subparagraph (a) if he or she had been assigned in pursuance of a certificate for free legal aid in relation to any particular case (in this subparagraph the “first fee”), increased by the following amounts:

(i) where the assignment is to two defendants only, an amount equal to 60% of the amount of the first fee;

(ii) where the assignment is to three or more defendants—

(I) an amount equal to 60% of the amount of the first fee in respect of each of the second and third defendants, and

(II) an amount equal to 40% of the amount of the first fee in respect of each of the fourth and subsequent defendants thereafter.”.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 4th January, 2018.*

The Minister for Public Expenditure and Reform consents to the making of these Regulations.



GIVEN under the Official Seal of the Minister for Public Expenditure and Reform,  
19 December 2018.

PASCHAL DONOHOE,  
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,  
20 December 2018.

CHARLES FLANAGAN,  
Minister for Justice and Equality.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations provide for a change in the fees payable to solicitors under the Criminal Legal Aid Scheme.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
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nó trí aon díoltóir leabhar.

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