

BERMUDA STATUTORY INSTRUMENT

LEGAL AID (SCALE OF FEES) REGULATIONS 1980

*[made under sections 13 and 16 of the Legal Aid Act 1980 [title 8 item 37]
and brought into operation on 1 November 1980]*

ARRANGEMENT OF REGULATIONS

1	Citation	4	Disbursements
2	Interpretation		SCHEDULE OF FEES
3	Remuneration of counsel		

Citation

1 These Regulations may be cited as the Legal Aid (Scale of Fees) Regulations 1980.

Interpretation

2 In these Regulations "the Act" means the Legal Aid Act 1980 [*title 8 item 37*].

Remuneration of counsel

3 (1) The amount of the fee to be paid out of the Consolidated Fund to Counsel assigned to an assisted person under the authority of a legal aid certificate shall be based upon the appropriate rate specified in the Schedule of Fees annexed to these Regulations.

(2) References to an hour in the Schedule of fees shall include references to part of an hour; but, save where any appearance of counsel in court lasts for less than one complete hour, the amount of the fee shall be prorated to the nearest completed quarter of an hour of the hearing or the preparatory work concerned.

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Disbursements

4 The proper and necessary disbursements of counsel made in and about the conduct of the case for an assisted person by counsel under the authority of legal aid certificate shall be paid out of the Consolidated Fund in addition to the fee calculated in accordance with regulation:

Provided that no amount shall be payable in respect of the cost of obtaining the appearance of any professional or other witness resident out of Bermuda, to give evidence in any proceedings in Bermuda, unless and until the appropriate legal aid certificate has been endorsed by or on behalf of the Legal Aid Committee with authority in the appearance of that witness in those proceedings.

SCHEDULE (regulation 3) SCALE OF FEES

Nature of Work	Fee per hour
A Work out of Court	
1 In proceedings before a Magistrate's Court:	\$300.00
2 In proceedings before the Supreme Court:	\$300.00
3 In proceedings before the Court of Appeal:	\$300.00
4 In proceedings before the Judicial Committee of H.M. Privy Council:	\$300.00
B Appearing in Court	
1 In a Magistrate's Court	\$330.00
2 In the Supreme Court: (except in murder cases):	\$330.00

3	In the Supreme Court in murder cases — Leader or sole counsel:	\$390.00
	Junior counsel with Leader:	\$300.00
4	In the Court of Appeal (except in murder appeals) — Leader or sole counsel:	\$390.00
	Junior counsel with Leader:	\$300.00
5	In the Court of Appeal in murder appeals — Leader or sole counsel:	\$420.00
	Junior counsel with Leader:	\$330.00
6	In the Judicial Committee of H.M. Privy Council:	\$420.00
C	Advising under section 7 of the Act:	\$300.00

[Schedule revoked and substituted by BR 41/2003 effective 11 June 2003; revoked and substituted by BR48/2009 effective 29 July 2009]

[Amended by:

BR 48/1983

1989 : 43

BR 41/2003

BR 48/2009]