



THE
JAMAICA GAZETTE
SUPPLEMENT

PROCLAMATIONS, RULES AND REGULATIONS

1619

Vol. CXLIV

TUESDAY, NOVEMBER 30, 2021

No. 163

No. 224

Extract from the Minutes of the meeting of the Honourable House of Representatives held on Tuesday, November 23, 2021:

PUBLIC BUSINESS

Mr. Franklin Witter MP, Chairman of the Regulations Committee of the House of Representatives, having obtained suspension of the Standing Orders, moved:

BE IT RESOLVED that the Report of the Regulations Committee of the House of Representatives, on its deliberations on the Legal Aid (Amendment) Regulations, 2021, dated November 23, 2021, which was laid on the Table of the House on the 23rd day of November, 2021, be adopted.

Seconded by: Ms. Tamika Davis.

Agreed to.

I certify that the above is a true extract from the Minutes.

VALRIE A. CURTIS, CD, BH(M), JP
Clerk to the Houses.

No. 225

Extract from the Minutes of the meeting of the Honourable Senate held on Friday, November 26, 2021:

PUBLIC BUSINESS

Senator Ransford Braham, Chairman of the Regulations Committee of the Senate, having obtained suspension of the Standing Orders, moved:

BE IT RESOLVED that the Report of the Regulations Committee of the Senate, on the Legal Aid (Amendment) Regulations, 2021, dated November 23, 2021, which was laid on the Table of the Senate on the 26th day of November, 2021, be approved.

Senator Lambert Brown and Senator Donna Scott Mottley also spoke on the motion.

Seconded by: Senator Kavan Gayle, CD.

Agreed to.

I certify that the above is a true extract from the Minutes.

VALRIE A. CURTIS, CD, BH(M), JP
Clerk to the Houses.

THE LEGAL AID ACT

THE LEGAL AID (AMENDMENT) REGULATIONS, 2021

In exercise of the power conferred upon the Minister by section 28(1)(g) and (h) of the Legal Aid Act, the following Regulations are hereby made:—

1. These Regulations may be cited as the Legal Aid (Amendment) Regulations, 2021, and shall be read and construed as one with the Legal Aid Regulations, 2000 (hereinafter referred to as the principal Regulations), and all amendments thereto.

2. Regulation 21 of the principal Regulations is amended by renumbering the regulation as regulation 21(1) and inserting the following as paragraphs (2) and (3)—

“ (2) Where the Council is satisfied that a matter under a legal aid certificate falls within paragraph (3), there shall be paid to the attorney-at-law who is assigned the matter under the legal aid certificate the fees specified in Part IIA of the Second Schedule, up to the maximum fees specified in that Part.

(3) A matter falls within this paragraph if the—

- (a) matter is a trial which, at the date of commencement of the trial, involves at least six defendants who are charged with multiple counts on the same indictment; and
- (b) Minister issues a certificate in writing specifying that the matter is a complex criminal matter to which this paragraph applies due to the factors specified in sub-paragraph (a).”

3. The Second Schedule of the principal Regulations is amended by—

(a) deleting Part II and substituting therefor the following—

“ Offences	Senior Counsel	Junior Counsel
Trials	(\$)	(\$)
Capital Murder	270,000	180,000
Non-capital murder and manslaughter	270,000	180,000
Other Circuit Court and firearm offences	180,000	135,000
Parish Court offences other than fraud	90,000	60,000
Fraud	120,000	90,000
Traffic Offences-Dangerous/Reckless Driving under the influence of alcohol	70,000	70,000
<i>Committal Proceedings</i>		
Where oral evidence is given	90,000	60,000
Only written statements tendered	35,000	25,000
<i>Appeals</i>		
Murder	270,000	180,000
Other Circuit Court and Firearm cases	180,000	135,000
Parish Court Appeals other than fraud	180,000	135,000
Fraud	120,000	90,000
One or more of the following:		
Attending police station/lock-up/ application for station bail/ representation at Court 1st mention application for bail date, ID parade for Q and A (Duty Counsel)	25,000	25,000
For each additional person visited on same occasion as duty counsel at an institution, the claim will be capped at \$30,000 maximum for any calendar day, irrespective of the number of persons visited at the particular institution	8,000	8,000
ID Parade (s)(Duty Counsel) per client irrespective of the number of witnesses	25,000	25,000

Offences —	Senior Counsel —	Junior Counsel —
Trials —	(\$) —	(\$) —
Question and Answer (Duty Counsel) per client irrespective of the number of visits for the same client	20,000	20,000 .”

(b) inserting next, after Part II the following Part—

“ PART IIA. Fee for Complex Criminal Matters

	Senior Counsel —	Junior Counsel —
	\$ —	\$ —
1. For the first month of trial—		
(a) where that month consists of 15 or more days of trial ...	350,000.00	250,000.00
(b) where that month consists of less than 15 days of trial, the fees specified in sub- paragraph (a) shall apply <i>pro rata</i> .		
2. For each month of trial sub- sequent to the first month—		
(a) where that subsequent month consists of 15 or more days of trial ...	250,000.00	150,000.00
(b) where that subsequent month consists of less than 15 days of trial, the fees specified in sub-paragraph (a) shall apply <i>pro rata</i> ,		

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3. In addition to the fees applicable under paragraphs 1 and 2, such additional amount, by way of re-imbusement for exceptional expenses incurred in respect of the matter by duty counsel, as the Minister may in writing approve upon the written application of that duty counsel.”.

Dated this 2nd day of November, 2021.

DELROY CHUCK
Minister of Justice.