
STATUTORY INSTRUMENTS

2013 No. 9

The Criminal Legal Aid (General) Regulations 2013

PART 5

Representation for criminal proceedings

Representation for criminal proceedings: proceedings which are to be regarded as incidental proceedings

19.—(1) The proceedings set out in paragraph (2) are to be regarded as incidental to the criminal proceedings from which they arise⁽¹⁾.

(2) The proceedings are—

- (a) proceedings in the Crown Court, following committal for sentence by a magistrates' court;
- (b) proceedings to quash an acquittal under section 54 of the Criminal Procedure and Investigations Act 1996⁽²⁾; and
- (c) proceedings for confiscation and forfeiture in connection with criminal proceedings under RSC Order 115 in Schedule 1 to the Civil Procedure Rules 1998⁽³⁾.

Commencement Information

II [Reg. 19](#) in force at 1.4.2013, see [reg. 1](#)

(1) Paragraph 5(3) of Schedule 3 to the Act (legal aid for legal persons: representation for criminal proceedings) provides that where a legal person qualifies for representation for the purposes of criminal proceedings, representation is also to be available to the legal person for the purposes of any preliminary or incidental proceedings. Paragraph 5(4) of Schedule 3 to the Act applies regulations made under section 16(4) of the Act to legal persons. Section 16(4) provides that regulations may make provision which specifies whether proceedings are or are not to be regarded as preliminary or incidental to the principal proceedings.

(2) 1996 c. 25.

(3) S.I. 1998/3132 (L.17).

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Criminal Legal Aid (General) Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 9(ud) word omitted by [S.I. 2023/150 art. 8\(a\)](#)
- reg. 9(ue)(uf) inserted by [S.I. 2023/150 art. 8\(b\)](#)
- reg. 9(uf) word omitted by [S.I. 2024/58 reg. 2\(2\)\(a\)](#)
- reg. 9(ug) inserted by [S.I. 2024/58 reg. 2\(2\)\(b\)](#)