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** ******** S.I. 22 of 2012 1 (3)

LEGAL AID ACT

Legal Aid (Amendment) Rules, 2012

In the exercise of the powers conferred by section 11 of the Legal Aid Act, the Chief Justice; hereby makes the following

1. These Rules may be cited as the Legal Aid Citation (Amendment) Rules 2012. (Amendment) Rules 2012.

2. The Legal Aid Rules are amended by repealing Rule 13 and substituting therefor the following Rule -

Amendment of S.I. 32 of 2011

- 13.(1) The fees payable out of the Fund to any legal practitioner assigned under rule 10(7)) shall be ---
 - (a) for steps preliminary including taking of procedure! drawing of pleading for institution of civil proceedings —
 - (i) Supreme Court
- SCR750.00
- (ii) Magistrates Court SCR500.00
- (b) for conduct of proceedings upon filing of claim or defence until determination of the suit! including all interlocutory proceedings or post judgment proceedings in civil proceedings —
 - (i) Supreme Court
- SCR5.000.00
- (ii) Magistrates Court SCR3,500.00

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11.

- (i) from a Magistrates SCR5,000,00 Court, Tribunal or other such subordinate body
- (ii) From the Supreme SCR7,500.00
 - (d) for the defence of any person in a criminal proceedings including all interlocutory proceedings—
- (i) for a person charged SCR20,000.00 with murder, piracy, or other offence(s) whose maximum punishment is life imprisonment Be to be seen to be the first the best of the best of
 - (ii) where an attorney - SCR7,500.00 acts for more than one person on one indictment in (i) above he shall be entitled to an additional sum for such additional accused person or persons
 - (iii) for a person charged SCR7,500.00 with any other offence(s) before the Supreme Court
 - (iv) for additional - SCR5,000.00 persons charged on

the same indictment represented by the same attorney

[23rd April 2012]

- (v) for a person charged SCR5,000.00 with a criminal offences(s) before a magistrates court
- (vi) for additional - SCR2.500.00 persons charged on the same charge sheet as in (v) above before a magistrates court
- (2) The fees payable out of the funds to any Legal Practitioner assigned shall be at the full and final determination of a civil or criminal proceedings.
- (3) In exceptional cases with the consent of the Chief Justice the trial judge or magistrate may adjust the fees to take into account such exceptional or extraordinary circumstances compelling the adjustment of the fees. Delay repetitive appearances. or other such similar circumstances in the conduct and disposal of the matter at name shall not amount to exceptional circumstances.
- (4) The displacement fee in respect of legally assisted cases held at Praslin shall be SCR2.000.00.

MADE this 19th day of April, 2012.

FMS EGONDE-NTENDE CHIEF JUSTICE