

21. Any person receiving any fee or remuneration in breach of Regulation 19 hereof shall thereafter be disqualified from nomination under these regulations until on the recommendation of a District Law Society a Judge has directed that such disqualification be removed.

22. Except in cases where, pursuant to Regulation 20 hereof, a Judge has allowed a fee or remuneration to be received, every claim for payment of allowance under these regulations shall contain a certificate and undertaking by the claimant that he has not received and will not receive from the accused person or any other person, either directly or indirectly, any fee or remuneration and has not taken and will not take the benefit of any contract or promise to pay any fee or remuneration in respect of his services in defence of such accused person.

DISBURSEMENTS.

23. In addition to the foregoing fees payment may be made of all disbursements reasonably and properly incurred and certified by the Registrar as having been so incurred for the purposes of trial.

24. To every accused person to whom legal aid has been extended under these regulations there shall be supplied without charge one copy of the depositions under which such accused person has been committed for trial unless a copy thereof has already been so supplied pursuant to an order of a Justice made under section 168 of the Justices of the Peace Act, 1927.

25. No witness for the accused person shall be paid any expenses by the Crown unless a Crown Solicitor certifies that the attendance of such witness was reasonably necessary or that the witness gave material evidence for the defence.

26. In cases where expenses to witnesses are payable such expenses shall be paid according to the scale set out for Supreme Court trials in the Regulations for Payment of Witnesses, 1931.

PERSONS JOINTLY CHARGED.

27. Where legal aid is extended under these regulations to more persons than one who are jointly charge or indicted, only one practitioner shall be assigned, one set of fees be allowed, and one copy of the depositions be supplied, except as follows:—

- (a) Where a defence certificate is issued pursuant to section 2 of the said Act and the Judge directs otherwise :
- (b) Where a legal aid certificate is issued pursuant to section 3 of the said Act and the Justices consider that the defence of such persons may conflict and that such persons may properly sever their defences.

RECORDS.

28. Each Registrar of the Supreme Court shall keep a proper record of all defence certificates issued or received and all assignments made by the Judges in pursuance of these regulations, and each Clerk of a Magistrate's Court shall keep a proper record of all defence certificates and legal aid certificates issued and assignments made by Justices.

29. Certificates issued under these regulations shall in every case be signed in duplicate, and one copy shall be attached to the contingency voucher when the claim is submitted for the practitioner's allowance under these regulations.

SCHEDULE.

FORM A (i).—DEFENCE CERTIFICATE OF COMMITTING JUSTICES IN CASES PUNISHABLE BY SENTENCE OF DEATH.

WE, the Committing Justices [or I, the Committing Magistrate], in the case of _____, having this day committed him for trial on a charge of murder [or as the case may be], and being satisfied that his means are insufficient to enable him to obtain legal aid in the preparation and conduct of his defence at the trial, do hereby grant in respect of him this defence certificate.

Dated at _____, this _____ day of _____, one thousand nine hundred and _____

.....
Justices of the Peace.
[or Stipendiary Magistrate].

FORM A (ii).—DEFENCE CERTIFICATE OF COMMITTING JUSTICES IN CASES NOT PUNISHABLE BY SENTENCE OF DEATH.

WE, the Committing Justices [or I, the Committing Magistrate], in the case of _____, having regard to all the circumstances of the case (including the nature of the defence, if any, set up by him) are [or am] satisfied that it is desirable in the interests of justice that he should have legal aid in the preparation and conduct of his defence at the trial, and that his means are insufficient to enable him to obtain such aid, and we [or I] do hereby grant in respect of him this defence certificate.

Dated at _____, this _____ day of _____, one thousand nine hundred and _____

.....
Justices of the Peace.
[or Stipendiary Magistrate].

NOTE.—The above accused has been committed to _____ Prison [or has been released on bail and may be communicated with at _____].