

JAMAICA

No. 13- 2021

I assent,

[L.S.]

Sgd. P. L. Allen  
Governor-General.

30<sup>th</sup> day of July 2021

AN ACT to Validate and confirm as lawful the payment of fees in variance, as to amount, of fees prescribed under section 24 of the Legal Aid Act and to provide for indemnification in respect of such payment.

WHEREAS section 24 of the Legal Aid Act provides that there shall be paid to an attorney-at-law to whom a matter has been assigned pursuant to a legal aid certificate, the prescribed fees and such travelling allowances and other out-of-pocket expenses as may be prescribed:

AND WHEREAS the fees, allowances and other out-of-pocket expenses, more particularly described in the Schedule hereto, which vary from the amounts prescribed under section 24 of the Legal Aid Act, have been paid to attorneys-at-law assigned pursuant to legal aid certificates in respect of matters concerning the cases of *R v Uchence Wilson and Others*, and *R v Carlington Godfrey and Others*:

[No. ] *The Legal Aid (Fees) (Validation and Indemnification) Act, 2021*

AND WHEREAS such payments were made in the interest of justice having regard to the urgent need to ensure access to justice for the defendants, and due to the unprecedented nature of the trials:

AND WHEREAS it is desirable to validate and confirm as lawful the payment of those fees and to indemnify persons in respect of such payment:

[30<sup>th</sup> July 2021 ]

NOW, THEREFORE, BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same as follows:—

- Short title.      1. This Act may be cited as the Legal Aid (Fees) (Validation and Indemnification) Act, 2021.
- Validation.      2. Notwithstanding the provisions of the Legal Aid Regulations, 2000, the payment in good faith, by the Legal Aid Council and all persons acting on behalf or in support of the Council, of the appropriate fee specified in the Schedule hereto to an attorney-at-law assigned to the matter of *R v Uchence Wilson and Others*, or to the matter of *R v Carlington Godfrey and Others*, is hereby declared to have been validly, properly and lawfully done to all intents and purposes and with effect as if done in accordance with the Legal Aid Act.
- Indemnification.      3. Every person liable to be legally proceeded against on the ground that any payment made in good faith, referred to in section 2, was not prescribed under section 24 of the Legal Aid Act is freed, acquitted, discharged and indemnified as well as against the Queen's Most Excellent Majesty, Her Heirs and Successors, and as well against all persons whatsoever from liability.

SCHEDULE

*Tariff of Fees and Travelling and Subsistence Allowances*

	Independent Counsel \$	Senior Counsel \$	Junior Counsel \$
For the first 30 days of trial	400,000.00	600,000.00	450,000.00
For each sub- sequent period of 30 days of trial	400,000.00	500,000.00	400,000.00

Passed in the House of Representatives this 22nd day of June 2021.

JULIET HOLNESS

*Deputy Speaker.*

Passed in the Honourable Senate this 2nd day of July, 2021.

THOMAS TAVARES-FINSON, CD, QC, JP

*President.*

*This printed impression has been carefully compared by me with the Bill which has passed the House of Representatives and Senate, and has been found by me to be a true and correct printed copy of the said Bill.*

*Sgd. Valerie A Curtis*  
*Clerk to the Houses of Parliament. Actg.*

