

ANNEX 18 (1)

EXTRACTS OF THE GENERAL CRIMINAL CONTRACT APPLICABLE TO VHCC WORK

Changes to definitions: the definitions in the General Criminal Contract's Standard Terms apply, subject to the following modifications	
Assessment	An assessment under this Contract of the amount which (subject to the provisions of this Contract) is due in respect of any claim (on an appeal or otherwise)
Case	VHCC
Claim	A claim for payment for VHCC Work
Client	Individual for whom the Defence Team is performing VHCC Work
Contract	Very High Cost Case (Crime) Contract for Panel Members
Contract Documents	Documents comprising the Very High Cost Case (Crime) Contract for Panel Members, as set out in clause []
Contract Work	VHCC Work
Contract Work Report Form	Audit Bundle
Contractor	Panel Member
Former Client	Individual for whom you have performed VHCC Work
Key Personnel	Key Members of the Defence Team
Matter	VHCC
Office	Office(s) set out in Annex [3] of the Very High Cost Case (Crime) Contract for Panel Members
Clauses from the General Criminal Contract's Standard Terms which apply to the Contract	
Interpretation section	1.2 to 1.23
Relationship	2.1 to 2.6

	2.8
Your main rights and obligations	3.5 to 3.10 3.12 to 3.18 3.19 – delete the words “in any Category of Work” 3.20 to 3.22
Crime SQM holders and provisional crime SQM holders	4
Advertising and promotion	5
The SQM	6
SQM Certificates	7 In 7.3 delete reference to Devolved Powers.
Payment – general	12A.1 to 12A.9 12A.13 to 12A.15
Payment – Remainder Work	12C.1 12C.2 12C.4 – delete the reference to “unique file reference numbers”.
Confidential information	13 - delete the reference to ‘Schedules’ in 13.6.
Warranties	14
Indemnities	15
General	16.1 to 16.8 16.10 16.11 16.13 to 16.31 16.34 to 16.46
Constitutional and other changes and matters to be notified	18 – delete “... in any Class of Work or at all” in 18.1 (b).
Prohibited gifts	19
How the Contract can be ended	20.1 20.5 to 20.11 – delete 20.11 (c). 20.12

	20.13
Consequences of termination	21.1 to 21.8 21.9 – amend to “Arrangements under Clause 21.7 above may require you to transfer the Clients’ files to such other Panel Members as the Clients may specify”. 21.10 – delete “... (for example your ability to perform a particular Class of Work) ...”.
Other Contract Sanctions	22.1 to 22.3 22.6 22.8 to 22.10 22.12 to 22.14
Internal review and review	23
Mediation and arbitration	24
Sections of the General Criminal Contract’s Specification which apply to the Contract	
<u>Part B: Rules and guidance on performing VHCC Work</u>	
Sufficient benefit test	1 2.5
Refusal – good cause	2.7
Separate matters	2.11
Further instructions and boundary with representation	2.13 2.14
Supplementary rules – all authorised levels of service	7.1 – cold calling and marketing 7.4 – information to clients 7.5 – furnishing information – replace “relevant Regional Director” with “CCU”. 7.6 – contractor error or omission 7.7 – unnecessary expenditure of public funds – replace “Director” with “CCU”. 7.8 – misrepresentation - replace “Director” with “CCU”. Delete reference to application form.

	<p>7.10 – time limits - replace “Director” with “CCU”.</p> <p>7.11 – continuity of service – first paragraph in bold and 7.11.2 only.</p> <p>7.12 – VHCCs</p>
<u>Part C: reporting, assessment and payment of claims</u>	
General rules – all authorised levels of service	<p>1.3 (a) to 1.3 (l)</p> <p>1.3.1</p> <p>1.3.3 – matter and case ends</p> <p>1.8 – inter partes costs</p> <p>1.15 – administrative work</p> <p>1.16 – legal research</p> <p>1.17 – experts’ fees</p> <p>1.18 – disbursements - but only: the bold text</p> <p>1.18.1</p> <p>1.18.4</p> <p>1.18.6</p> <p>1.19 – witness expenses</p> <p>1.21 – wasted costs – replace “Regional Director” with “CCU”.</p> <p>1.25 – recovery of overpayments - delete reference to appeals under Rules 1.11 or 1.12.</p> <p>1.26 – file review</p>
<u>Part D: Quality and performance standards</u>	
Financial control and time recording	2.1
Legal reference materials	2.2
File management	2.3
File review	2.4
<u>Part F: SQM Category Definitions</u>	
<u>Part G: Guidance on Contract sanctions</u>	