

## **Notice of changes to the General Civil Contract (Not for Profit) from 1 April 2004**

*These are consequential amendments to the General Civil Contract (Not for Profit) arising out of the Consultation Paper on Proposed Changes to Publicly Funded Immigration and Asylum Work (issued 30 June 2003) and the Consultation Paper on CLR and Fast Track Processes (issued 8 December 2003).*

### Paragraph 3.22 Disbursements

Add the following to sub-paragraph 3 Section B: Disbursements which may not be incurred:

**“Immigration application fees.”**

### Paragraph 5.8 May we set an Upper Casework Limit?

Add the following after sub-paragraph 9:

**“10. For Casework Limits in the immigration category, see Section 13 Immigration.”**

### Paragraph 8.1 When you may provide Controlled Legal Representation

Add the following at the end of sub-paragraph 1 (b):

**“You can grant CLR only if you have the Devolved Power to do so in accordance with the criteria in the Funding Code and the terms of this Specification. If you do not have the Devolved Power to grant CLR an application for CLR may be made to the London Regional Director on a form approved by us (see Section 13.5 Immigration).”**

### Paragraph 8.2 Granting an application and using Devolved Powers

Delete the existing text of sub-paragraph 1 and replace with the following:

**“If you have a Contract in mental health then unless we tell you otherwise you will have the Devolved Power to grant or refuse CLR in that Category. If you have a Contract in immigration then you will only have the Devolved Power to grant CLR if we have specifically granted you this power in writing. If you do not have the Devolved Power to**

**grant CLR, CLR will be granted by the London Regional Director on a form approved by us (see Section 13.5 Immigration)."**

In sub-paragraph 2 replace "practising solicitor or the SQM supervisor" with **"experienced adviser"**

Paragraph 8.6 What happens if you refuse an application for CLR?

Delete the existing text of paragraph 8.6 and replace with the following:

**"1. Where you refuse an application for CLR or, having granted the application, subsequently withdraw CLR, your client has a right to seek a review of your decision by the London Regional Director and the Funding Review Committee. You should advise your client of that right and keep a record of that advice on the file.**

**2. Where CLR is refused or withdrawn by the London Regional Director your client may have that decision reviewed by the Funding Review Committee.**

**3. A review by the Funding Review Committee under this paragraph shall operate in the same way (with necessary modifications) as a review of the refusal or withdrawal of Certificated Work under Part C of these Procedures, save that in relation to proceedings before an immigration adjudicator or the immigration appeal tribunal the review shall be on the papers only."**