



Access to Justice Act 1999

1999 CHAPTER 22

PART I

LEGAL SERVICES COMMISSION

Supplementary

25 Orders, regulations and directions.

- (1) Any power of the [^{F1}Lord Chancellor] under this Part to make an order or regulations is exercisable by statutory instrument.
- (2) Before making any remuneration order relating to the payment of remuneration to barristers or solicitors the [^{F1}Lord Chancellor] shall consult the General Council of the Bar and the Law Society.
- (3) When making any remuneration order the [^{F1}Lord Chancellor] shall have regard to—
 - (a) the need to secure the provision of services of the description to which the order relates by a sufficient number of competent persons and bodies,
 - (b) the cost to public funds, and
 - (c) the need to secure value for money.
- (4) In subsections (2) and (3) “remuneration order” means an order under section 6(4), 13(3) or 14(3) which relates to the payment by the Commission of remuneration—
 - (a) for the provision of services by persons or bodies in individual cases, or
 - (b) by reference to the provision of services by persons or bodies in specified numbers of cases.
- (5) No directions may be given by the [^{F1}Lord Chancellor] to the Commission under this Part in relation to individual cases.
- (6) Any directions given by the [^{F1}Lord Chancellor] to the Commission under this Part may be varied or revoked.
- (7) The [^{F1}Lord Chancellor] shall either—

Status: Point in time view as at 01/04/2009. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Section 25. (See end of Document for details)

- (a) publish, or
 (b) require the Commission to publish,
 any directions given by him under this Part.
- (8) Orders, regulations and directions of the [^{F1}Lord Chancellor] under this Part may make different provision for different purposes (including different areas).
- (9) No order shall be made under section 2 or 8 or paragraph 5(3) of Schedule 3, and no regulations shall be made under section 6(7), 11(1) or (4)(b) or (d) or 15(2)(a) or (5) or [^{F2}[^{F3}paragraph 1A, 2A,]^{F4} or 6] of Schedule 3], unless a draft of the order or regulations has been laid before, and approved by a resolution of, each House of Parliament.
- [^{F5}(9A) The first regulations under [^{F6}section 17A or] paragraph 3B of Schedule 3 shall not be made unless a draft of the regulations has been laid before, and approved by a resolution of, each House of Parliament.]
- [^{F7}(9B) No order or regulations which, by virtue of section 18A, is or are to have effect for a limited period shall be made unless a draft of the order or regulations has been laid before, and approved by a resolution of, each House of Parliament.]
- (10) A statutory instrument containing any other order or regulations under this Part shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words in s. 25 substituted (12.1.2006) by [The Transfer of Functions \(Lord Chancellor and Secretary of State\) Order 2005 \(S.I. 2005/3429\)](#), art 8, **Sch. para. 4(a)**
- F2** Words in s. 25(9) substituted (2.10.2006) by [Criminal Defence Service Act 2006 \(c. 9\)](#), **ss. 1(8)**, 5(2); [S.I. 2006/2491](#), **art. 2**
- F3** Words in s. 25(9) substituted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), **ss. 56(4)**, 153; [S.I. 2008/1586](#), **art. 2**, Sch. 1
- F4** Words in s. 25(9) substituted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), **ss. 57(2)**, 153; [S.I. 2008/1586](#), **art. 2**, Sch. 1
- F5** S. 25(9A) inserted (2.10.2006) by [Criminal Defence Service Act 2006 \(c. 9\)](#), **ss. 2(5)**, 5(2); [S.I. 2006/2491](#), **art. 2**
- F6** Words in s. 25(9A) inserted (2.10.2006) by [Criminal Defence Service Act 2006 \(c. 9\)](#), **ss. 3(4)**, 5(2); [S.I. 2006/2491](#), **art. 2**
- F7** S. 25(9B) inserted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), **ss. 58(4)**, 153; [S.I. 2008/1586](#), **art. 2**, Sch. 1

Status:

Point in time view as at 01/04/2009. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Access to Justice Act 1999, Section 25.