
STATUTORY INSTRUMENTS

2005 No. 2783

**LEGAL SERVICES COMMISSION,
ENGLAND AND WALES**

**The Criminal Defence Service (Recovery of Defence
Costs Orders) (Amendment) Regulations 2005**

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| <i>Made</i> | - - - - | <i>9th October 2005</i> |
| <i>Laid before Parliament</i> | | <i>10th October 2005</i> |
| <i>Coming into force</i> | - - | <i>31st October 2005</i> |

The Secretary of State, in exercise of the powers conferred upon the Lord Chancellor by sections 17(3) and 26 of the Access to Justice Act 1999 (1), and now vested in him (2), makes the following Regulations:

Citation, commencement, interpretation and transitional provision

1.—(1) These Regulations may be cited as the Criminal Defence Service (Recovery of Defence Costs Orders) (Amendment) Regulations 2005 and shall come into force on 31st October 2005.

(2) In these Regulations—

- (a) a reference to a regulation by number alone is a reference to the regulation so numbered in the Criminal Defence Service (Recovery of Defence Costs Orders) Regulations 2001(3); and
- (b) words and expressions have the same meaning as in those Regulations.

(3) Regulation 2 of these Regulations shall apply to Recovery of Defence Costs Orders in respect of representation orders made on or after 31st October 2005, and such Orders in respect of representation orders made before that date shall be treated as if Regulation 2 of these Regulations had not been made.

(1) 1999 c. 22. Section 26 was amended by the Secretary for Constitutional Affairs Order 2003 (S.I. 2003/1887), article 9, Schedule 2, paragraph 11(1)(a); see the definition of “regulations” in that section.
(2) By virtue of the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887), articles 4(1) and 9, Schedule 1 and Schedule 2 paragraph 11(1)(a).
(3) S.I. 2001/856, there are relevant amendments in S.I. 2002/713 and S.I. 2003/643.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Amendment to the Criminal Defence Service (Recovery of Defence Costs Orders) Regulations 2001

2. In regulation 9(2)(c) for “£25,000” substitute “£25,250”.

Signed by authority of the Secretary of State

9th October 2005

Bridget Prentice
Parliamentary Under Secretary of State
Department for Constitutional Affairs

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Defence Service (Recovery of Defence Costs Orders) Regulations 2001 (S.I.[2001/856](#)) in order to increase the level of income a funded defendant must have before his income is taken into account for the purpose of calculating his financial resources.