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STATUTORY INSTRUMENTS

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**2008 No. 2791**

**CONTRACTING OUT  
SUPREME COURT, ENGLAND AND WALES  
MENTAL CAPACITY, ENGLAND AND WALES  
COUNTY COURTS, ENGLAND AND WALES  
MAGISTRATES' COURTS,  
ENGLAND AND WALES**

The Contracting Out (Administrative and  
Other Court Staff) (Amendment) Order 2008

<i>Made</i>	- - - -	<i>23rd October 2008</i>
<i>Laid before Parliament</i>		<i>28th October 2008</i>
<i>Coming into force</i>	- -	<i>1st December 2008</i>

The Lord Chancellor, in exercise of the powers conferred upon him by section 2(6) of the Courts Act 2003<sup>(1)</sup> and after consulting the Lord Chief Justice, the Master of the Rolls, the President of the Queen's Bench Division, the President of the Family Division and the Chancellor of the High Court in accordance with section 2(7)(2) of the Courts Act 2003, makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Contracting Out (Administrative and Other Court Staff) (Amendment) Order 2008 and shall come into force on 1st December 2008.

**Amendment of the Contracting Out (Administrative and Other Court Staff) Order 2001**

2.—(1) The Contracting Out (Administrative and Other Court Staff) Order 2001<sup>(3)</sup> is amended as follows.

(2) For article 2 (Contracting out of functions), substitute —

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(1) 2003 c. 39.

(2) as amended by paragraph 309(1) of Schedule 4 to the [Constitutional Reform Act \(2005 c. 4\)](#).

(3) [S.I. 2001/3698](#).

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*Status: This is the original version (as it was originally made).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

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“(2) The Lord Chancellor may enter into such contracts with other persons for the provision, by them or their subcontractors, of officers, staff or services as are appropriate for carrying out the administrative work of —

- (a) the Supreme Court;
- (b) the Court of Protection;
- (c) county courts; and
- (d) magistrates’ courts.”

23rd October 2008

*Bridget Prentice*  
Parliamentary Under Secretary of State  
Ministry of Justice

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Contracting Out (Administrative and Other Court Staff) Order 2001 ([S.I. 2001/3698](#)) to enable the Lord Chancellor to enter into contracts for the provision of administrative staff to the Court of Protection and magistrates' courts as well as to the Supreme Court and county courts.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.