



Access to Justice Act 1999

1999 CHAPTER 22

PART I

LEGAL SERVICES COMMISSION

Commission

1 Legal Services Commission.

- (1) There shall be a body known as the Legal Services Commission (in this Part referred to as “the Commission”).
- (2) The Commission shall have the functions relating to—
 - (a) the Community Legal Service, and
 - (b) the Criminal Defence Service,which are conferred or imposed on it by the provisions of this Act or any other enactment.
- (3) The Commission shall consist of—
 - (a) not fewer than seven members, and
 - (b) not more than twelve members;but the Lord Chancellor may by order substitute for either or both of the numbers for the time being specified in paragraphs (a) and (b) such other number or numbers as he thinks appropriate.
- (4) The members of the Commission shall be appointed by the Lord Chancellor; and the Lord Chancellor shall appoint one of the members to chair the Commission.
- (5) In appointing persons to be members of the Commission the Lord Chancellor shall have regard to the desirability of securing that the Commission includes members who (between them) have experience in or knowledge of—
 - (a) the provision of services which the Commission can fund as part of the Community Legal Service or Criminal Defence Service,

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- (b) the work of the courts,
- (c) consumer affairs,
- (d) social conditions, and
- (e) management.

(6) Schedule 1 (which makes further provision about the Commission) has effect.

2 Power to replace Commission with two bodies.

- (1) The [^{F1} Secretary of State] may by order establish in place of the Commission two bodies—
- (a) one to have functions relating to the Community Legal Service, and
 - (b) the other to have functions relating to the Criminal Defence Service.
- (2) The order may make any consequential, incidental, supplementary or transitional provisions, and any savings, which appear to the [^{F1} Secretary of State] to be appropriate.
- (3) The order shall include amendments of—
- (a) any provisions of, or amended by, this Part which refer to the Commission, and
 - (b) any other enactments which so refer,
- to replace references to the Commission with references to either or both of the bodies established by the order.

Textual Amendments

- F1** Words in s. 2 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, [Sch. 2 para. 11\(1\)\(a\)](#)

3 Powers of Commission.

- (1) Subject to the provisions of this Part, the Commission may do anything which it considers—
- (a) is necessary or appropriate for, or for facilitating, the discharge of its functions, or
 - (b) is incidental or conducive to the discharge of its functions.
- (2) In particular, the Commission shall have power—
- (a) to enter into any contract,
 - (b) to make grants (with or without conditions),
 - (c) to make loans,
 - (d) to invest money,
 - (e) to promote or assist in the promotion of publicity relating to its functions,
 - (f) to undertake any inquiry or investigation which it may consider appropriate in relation to the discharge of any of its functions, and
 - (g) to give the [^{F2} Secretary of State] any advice which it may consider appropriate in relation to matters concerning any of its functions.
- (3) Subsections (1) and (2) do not confer on the Commission power to borrow money.

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- (4) The Commission may make such arrangements as it considers appropriate for the discharge of its functions, including the delegation of any of its functions.
- (5) The [^{F2} Secretary of State] may by order require the Commission—
- (a) to delegate any function specified in the order or to delegate any function so specified to a person (or person of a description) so specified,
 - (b) not to delegate any function so specified or not to delegate any function so specified to a person (or person of a description) so specified, or
 - (c) to make arrangements such as are specified in the order in relation to the delegation of any function so specified.

Textual Amendments

- F2** Words in s. 3 substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 11(1)(a)**

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