

## SCHEDULES

### SCHEDULE 10

#### TRANSITORY MODIFICATIONS

##### *Schedule 6*

- 14 (1) This paragraph applies if subsections (1) to (3) of section 71 of the Crime and Disorder Act 1998 have not come into force before the commencement of this Act.
- (2) If this paragraph applies, then until the appointed day paragraph 3 of Schedule 6 to this Act shall have effect as if the following provisions were omitted—
- (a) in sub-paragraph (2), paragraph (d);
  - (b) in sub-paragraph (3), the word “, (d)”;
  - (c) in sub-paragraph (5), paragraph (b).
- (3) In this paragraph “the appointed day” means—
- (a) if before the commencement of this Act an order has been made appointing a day for the coming into force of section 71(1) to (3) of the Crime and Disorder Act 1998, the day so appointed;
  - (b) otherwise, such day as the Secretary of State may by order appoint.
- 15 (1) This paragraph applies if paragraph 5 of Schedule 4 to the Access to Justice Act 1999 has not come into force before the commencement of this Act.
- (2) If this paragraph applies, then until the relevant commencement date paragraph 5(7) of Schedule 6 to this Act shall have effect as if—
- (a) for paragraph (a) there were substituted the following paragraph—
    - “(a) he has applied for legal aid for the purposes of the proceedings and the application was refused on the ground that it did not appear that his resources were such that he required assistance; or”; and
  - (b) in paragraph (b), for the words “such representation” there were substituted the words “legal aid”.