
STATUTORY INSTRUMENTS

1999 No. 2657

**The Access to Justice Act 1999
(Commencement No. 1) Order 1999**

Citation and Interpretation

1.—(1) This Order may be cited as the Access to Justice Act 1999 (Commencement No. 1) Order 1999.

(2) In this Order, “the Act” means the Access to Justice Act 1999 and, unless the context requires otherwise, references to a section, Part or Schedule by number alone mean the section, Part or Schedule so numbered in the Act.

Commencement of provisions in Access to Justice Act 1999

2. The following provisions of the Act shall come into force on 27th September 1999:
- (a) in Part III, sections 36 (barristers and solicitors), 40 (rights to conduct litigation: barristers and legal executives) and 42 (overriding duties of advocates and litigators), paragraphs 6, 7, 9 and 10 of Schedule 6 and, so far as it relates to those paragraphs, section 43 (minor and consequential amendments), section 46 (Bar practising certificates), section 48 and Schedule 7 (Law Society’s powers in relation to conduct of solicitors etc) and section 49 (powers of Legal Services Ombudsman);
 - (b) in Part IV, section 66 and Schedule 9 (enforcement of community orders) and, in the areas specified in Schedule 1 to this Order, section 67(2) (time limits where accused sent for trial);
 - (c) in Part V:
 - (i) to the extent that it inserts section 30B into the Justices of the Peace Act 1997⁽¹⁾, section 83(1) (Greater London Magistrates' Courts Authority);
 - (ii) paragraph 11 of Schedule 12 and, so far as it relates to that paragraph, section 83(3); and
 - (iii) sections 88 (role of chief executives) and 89 (independence of clerks and staff exercising legal functions) and
 - (d) in Part VII:
 - (i) section 105;
 - (ii) the following provisions of Schedule 15 (repeals and revocations):
 - (a) in Part II, the repeal of, or (as the case may be) of words in, the provisions specified in Part I of Schedule 2 to this Order;
 - (b) Part IV; and
 - (c) in Part V(7), the repeal of sections 31(2) and 40(5) of, and paragraph 15 of Schedule 4 to, the Justices of the Peace Act 1997; and

- (iii) section 106 so far as it relates to the provisions of Schedule 15 referred to in subparagraph (ii) above, and to those referred to in section 108(3)(f), apart from the provisions specified in section 108(4).
3. The following provisions of the Act shall come into force on 1st November 1999:
- (a) section 53 (abolition of scribes' monopoly);
 - (b) in Part II of Schedule 15, the repeal of, or (as the case may be) of words in, the provisions specified in Part II of Schedule 2 to this Order; and
 - (c) section 106 so far as it relates to the provisions of Schedule 15 referred to in subparagraph (b) above.
4. The following provisions of the Act shall come into force on 12th November 1999:
- (a) section 79 (justices not to sit on committal for sentence); and
 - (b) Part V(4) of Schedule 15, and section 106, so far as it relates to that repeal.

Signed by authority of the Lord Chancellor

21st September 1999

Keith Vaz
Parliamentary Secretary
Lord Chancellor's Department