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STATUTORY INSTRUMENTS

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**2001 No. 1256**

**LEGAL SERVICES COMMISSION, ENGLAND AND WALES**

**The Criminal Defence Service (Funding)  
(Amendment No. 2) Order 2001**

*Made - - - - - 28th March 2001*  
*Laid before Parliament 29th March 2001*  
*Coming into force - - 2nd April 2001*

The Lord Chancellor, in exercise of the powers conferred on him by section 14(3) and 105 of, and paragraph 9 of Schedule 14 to, the Access to Justice Act 1999(a), having had regard to the matters specified in section 25(3) and having consulted the General Council of the Bar and the Law Society, makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Criminal Defence Service (Funding) (Amendment No. 2) Order 2001 and shall come into force on 2nd April 2001.
2. In this Order, an article referred to by number alone means the article so numbered in the Criminal Defence Service (Funding) Order 2001(b).

**Amendments to the Criminal Defence Service (Funding) Order 2001**

3. In article 2, in the definition of “a Very High Cost Case”, for the words after “decided by” there shall be substituted “the Commission.”.
4. Article 6 shall be deleted.
5. In article 9, after “category” there shall be inserted “and the appropriate level of fee earner in Schedule 5.”.
6. In article 14, the words “or, as the case may be, the appropriate officer” shall be deleted each time they occur.

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(a) 1999 c. 22.  
(b) S.I. 2001/855, as amended by S.I. 2001/1143.

7. In Schedule 5, paragraphs 1.1 and 2.1, the words “or (as the case may be) the appropriate officer” shall be deleted.

Signed by the authority of the Lord Chancellor

28th March 2001

*Willy Bach*  
Parliamentary Secretary,  
Lord Chancellor’s Department

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#### EXPLANATORY NOTE

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

This Order is made in order to delete the provision in article 6 of the Criminal Defence Service (Funding) Order whereby representation which is funded by the Lord Chancellor in a Very High Cost Case is to be remunerated at rates no higher than those set out in Schedule 5 to that Order. The rates set out in Schedule 5 are those to be paid for Very High Cost Cases which are governed by a contract with the Legal Services Commission.

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