

2002 No. 714

LEGAL SERVICES COMMISSION, ENGLAND AND WALES

The Criminal Defence Service (Funding) (Amendment) Order 2002

Made - - - - 13th March 2002

Laid before Parliament 18th March 2002

Coming into force 8th April 2002

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, commencement and interpretation

1. This Order may be cited as the Criminal Defence Service (Funding) (Amendment) Order 2002 and shall come into force on 8th April 2002.

2. In this Order, an article or a Schedule referred to by number alone means the article or Schedule so numbered in the Criminal Defence Service (Funding) Order 2001(b).

Transitional provisions

3. This Order shall apply only in respect of proceedings in which a representation order is made on or after 8th April 2002, and in respect of all other proceedings the Criminal Defence Service (Funding) Order 2001 shall take effect as if this Order had not been made.

Amendments to the Criminal Defence Service (Funding) Order 2001

4. In article 2, in the definition of “appropriate officer”, “in the case of proceedings in the civil division of the Court of Appeal, the head of the civil appeals office;” shall be inserted after “means:”.

5. In article 3(1)(b), “the criminal division of” shall be deleted.

6. In paragraph 20(6)(a) of Schedule 1, “confirmation, or” shall be inserted after “way of”.

Signed by the authority of the Lord Chancellor

Patricia Scotland
Parliamentary Secretary,
Lord Chancellor’s Department

Dated 13th March 2002

(a) 1999 c.22.

(b) S.I. 2001/855, as amended by S.I. 2001/1143, 1256 and 3341.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Criminal Defence Service (Funding) Order 2001 so as to provide for funding in respect of appeals to the Court of Appeal, Civil Division, from the Financial Services and Markets Tribunal established under section 132 of the Financial Services and Markets Act 2000.

In addition, it provides, at article 6, that on a redetermination of costs the appropriate officer may confirm the costs allowed as well as increase or decrease them.

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