

2003 No. 2378

LEGAL SERVICES COMMISSION, ENGLAND AND WALES

**The Criminal Defence Service (General) (No. 2)
(Amendment No. 2) Regulations 2003**

Made - - - - - *11th September 2003*
Laid before Parliament *15th September 2003*
Coming into force - - *6th October 2003*

The Secretary of State, in exercise of the powers conferred upon the Lord Chancellor by section 13 of the Access to Justice Act 1999^(a) and now vested in him^(b), makes the following Regulations:

1.—(1) These Regulations may be cited as the Criminal Defence Service (General) (No. 2) (Amendment No. 2) Regulations 2003 and shall come into force on 6th October 2003.

(2) In these Regulations, a regulation referred to by number alone means the regulation so numbered in the Criminal Defence Service (General) (No. 2) Regulations 2001^(c).

2.—(1) In regulation 5(8)—

(a) in paragraph (c), delete “and”;

(b) in paragraph (d) for “£14,213.” substitute “£14,213; and”; and

(c) after paragraph (d) insert—

“(e) guarantee state pension credit under section 1(3)(a) of the State Pension Credit Act 2002^(d)”.

(2) In regulation 5(9), for “or income-based jobseeker’s allowance” substitute “, income-based jobseeker’s allowance or guarantee state pension credit”.

Signed by authority of the Secretary of State

David Lammy
Parliamentary Under Secretary of State,
Department for Constitutional Affairs

Dated 11th September 2003

(a) 1999 c. 22; amended by the Criminal Defence Service (Advice and Assistance) Act 2001 (c. 4), section 1. “Prescribed” is defined in section 26 of the Access to Justice Act 1999.
(b) By virtue of the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887), articles 4(1) and 9, Schedule 1 and Schedule 2 paragraph 11(1)(a).
(c) S.I. 2001/1437; amended by S.I. 2003/644.
(d) 2002 c. 16.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations extend the definition of qualifying benefits in the Criminal Defence Service (General) (No. 2) Regulations 2001 (S.I. 2001/1437), receipt of which entitle a person to advice and assistance under the Criminal Defence Service without further regard to their disposable income, so as to include guarantee state pension credit under section 1(3)(a) of the State Pension Credit Act 2002.

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