

2004 No. 2046

**LEGAL SERVICES COMMISSION, ENGLAND AND
WALES**

**The Criminal Defence Service (General) (No.2) (Amendment
No.2) Regulations 2004**

<i>Made</i> - - - -	<i>29th July 2004</i>
<i>Laid before Parliament</i>	<i>30th July 2004</i>
<i>Coming into force</i> - -	<i>2nd August 2004</i>

The Secretary of State, in exercise of the powers conferred by sections 15(2)(d) and 15(6) of the Access to Justice Act 1999(a) and now vested in him(b), makes the following Regulations:

1. These Regulations may be cited as the Criminal Defence Service (General) (No.2) (Amendment No.2) Regulations 2004 and shall come into force on 2nd August 2004.

2. In regulation 2 of the Criminal Defence Service (General) (No.2) Regulations 2001(c), for the definition of “a Very High Cost Case” substitute—

““a Very High Cost Case” is a case where if the case proceeds to trial, that trial would be likely to last for 41 days or longer, and any question as to whether the case fulfils this criterion shall be determined by the Commission; and”.

Signed

Falconer of Thoroton, C

Secretary of State for Constitutional Affairs

Dated 29th July 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the definition of a Very High Cost Case in the Criminal Defence Service (General) (No.2) Regulations 2001 (S.I.2001/1437) to bring it into line with the definition in the Criminal Defence Service (Funding) Order 2001 (S.I.2001/855) as amended.

(a) 1999 c.22. “Prescribed” and “regulations” are 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; relevant amending instruments are S.I.2002/712 and S.I.2003/644.

STATUTORY INSTRUMENTS

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