

2009 No. 3312

**LEGAL SERVICES COMMISSION, ENGLAND AND
WALES**

**The Community Legal Service (Financial) (Amendment No. 3)
Regulations 2009**

<i>Made</i>	- - - -	<i>11th December 2009</i>
<i>Laid before Parliament</i>		<i>16th December 2009</i>
<i>Coming into force</i>	- -	<i>11th January 2010</i>

The Lord Chancellor, in exercise of the powers conferred by sections 7, 10 and 26 of the Access to Justice Act 1999(a), makes the following Regulations:

1.—(1) These Regulations may be cited as the Community Legal Service (Financial) (Amendment No. 3) Regulations 2009 and come into force on 11th January 2010.

(2) In these Regulations—

- (a) “the 2000 Regulations” means the Community Legal Service (Financial) Regulations 2000(b);
- (b) “application” has the same meaning as in the 2000 Regulations.

(3) These Regulations apply to applications made on or after 11th January 2010 and to further assessments under regulation 15 of the 2000 Regulations made on or after that date.

(4) Applications and further assessments made before that date shall be treated as if these Regulations had not been made.

2. After regulation 24 of the 2000 Regulations insert—

“**24A.** In calculating the disposable income of the person concerned, any amounts due under a contribution order made under regulations under section 17A of the Act(c) shall be deducted.”.

Signed by authority of the Lord Chancellor

11th December 2009

Bach
Parliamentary Under Secretary of State
Ministry of Justice

(a) 1999 c. 22. Section 26 defines “regulations” as regulations made by the Lord Chancellor. The reference to the Lord Chancellor was changed to the Secretary of State by S.I. 2003/1887 and changed back to the Lord Chancellor by S.I. 2005/3429.

(b) S.I. 2000/516, to which there are amendments not relevant to these Regulations.

(c) Section 17A of the Access to Justice Act 1999 was inserted by section 3(3) of the Criminal Defence Service Act 2006 (c. 9).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Legal Service (Financial) Regulations 2000, which govern the financial aspects of the provision of services funded by the Legal Services Commission in civil and family matters. These Regulations provide that, where a person is liable to make payments under a contribution order in a criminal case in the Crown Court, the amount due is to be deducted from the person's disposable income when their financial eligibility for civil and family legal aid is being assessed.

An impact assessment has not been prepared for this instrument as no impact on business or the private or voluntary sector is foreseen.

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