

**2010 No. 96**

**LEGAL SERVICES COMMISSION, ENGLAND AND WALES**

**The Community Legal Service (Financial) (Amendment) Regulations 2010**

<i>Made</i>	- - - -	<i>20th January 2010</i>
<i>Laid before Parliament</i>		<i>25th January 2010</i>
<i>Coming into force</i>	- -	<i>15th February 2010</i>

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

**Citation and commencement**

1. These Regulations may be cited as the Community Legal Service (Financial) (Amendment) Regulations 2010.
2. These Regulations come into force on 15th February 2010.

**Amendments to the Community Legal Service (Financial) Regulations 2000**

3. The Community Legal Service (Financial) Regulations 2000(b) are amended as follows.
4. In regulation 2(1), after the definition of “funded services” insert—

““Immigration and Asylum Chamber of the First-tier Tribunal” and “Immigration and Asylum Chamber of the Upper Tribunal” are the Chambers referred to in articles 2(f) and 6(d) respectively of the First-tier Tribunal and Upper Tribunal (Chambers) Order 2008(c);”.
5. In each of regulations 4(3)(b)(i), 5(3)(i), 31(1)(a)(i), 38 (2)(a)(i)(aa) and 38(2A)(a)(i)(aa), for “the Asylum and Immigration Tribunal” substitute “the Immigration and Asylum Chamber of the First-tier Tribunal”.
6. In each of regulations 4(3)(b)(ii), 5(3)(ii), 31(1)(a)(ii), 38 (2)(a)(i)(bb) and 38 (2A)(a)(i)(bb), for “the High Court in respect of an application under section 103A of the Nationality, Immigration and Asylum Act 2002” substitute “the Immigration and Asylum Chamber of the Upper Tribunal, except where the Tribunal is exercising its “judicial review” jurisdiction under section 15 of the Tribunals, Courts and Enforcement Act 2007(d)”.

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(a) 1999 c. 22. The powers were transferred to the Secretary of State by S.I. 2003/1887 and transferred back to the Lord Chancellor by S.I. 2005/3429.  
(b) S.I. 2000/516; relevant amending instruments are S.I. 2006/713, 2006/2363, 2007/906 and 2009/502.  
(c) S.I. 2008/2684; relevant amending instruments are S.I. 2009/196, 2009/1021, 2009/1590 and 2010/40.  
(d) 2007 c. 15.

Signed by the authority of the Lord Chancellor

20th January 2010

*Bach*  
Parliamentary Under Secretary of State  
Ministry of Justice

### **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 make consequential amendments arising from the Tribunals, Courts and Enforcement Act 2007, which replaces individual tribunals, including the Asylum and Immigration Tribunal, with a new First-tier and Upper Tribunal, grouped into chambers. The 2000 Regulations contain references to the Asylum and Immigration Tribunal which will cease to exist under the Act, and to an application to the High Court under the Nationality, Immigration and Asylum Act 2002, which process will also cease to exist.

These Regulations replace these references with references to the Immigration and Asylum Chambers of the First-tier Tribunal and Upper Tribunal respectively.

A full regulatory impact assessment has not been made for this instrument, as it has no significant impact on the costs of businesses, charities or voluntary bodies.

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