
STATUTORY INSTRUMENTS

2003 No. 435

Access to Justice (Northern Ireland) Order 2003

PART IV

SUPPLEMENTARY

Remuneration orders

47.—(1) When making any remuneration order the Lord Chancellor shall have regard, among the matters which are relevant, to—

- (a) the time and skill which the provision of services of the description to which the order relates requires;
- (b) the number and general level of competence of persons providing those services;
- (c) the cost to public funds of any provision made by the regulations; and
- (d) the need to secure value for money.

(2) Before making any remuneration order, the Lord Chancellor—

- (a) shall consult the Lord Chief Justice, the Law Society, the General Council of the Bar of Northern Ireland and, if the remuneration order relates to criminal defence services, the Director of Public Prosecutions, and
- (b) may undertake such other consultation as appears to him to be appropriate.

(3) When the Lord Chancellor is making provision in a remuneration order which prescribes fees which are to be paid to persons or bodies in respect of the provision of services by them, nothing in paragraph (1) requires him to have regard to any fee payable, otherwise than in accordance with a remuneration order, in respect of the provision of such services.

(4) In paragraphs (1) to (3) “remuneration order” means an order under Article 12(3), 23(3) or 24(3) which relates to the payment by the [^{F1}Department] of remuneration—

- (a) for the provision of services by persons or bodies in individual cases, or
- (b) by reference to the provision of services by persons or bodies in specified numbers of cases.

(5) Until the Attorney General is a person appointed under section 22(2) of the Justice (Northern Ireland) Act 2002^{F2}, the reference in paragraph (2) to the Director of Public Prosecutions shall be construed as a reference to the Attorney General.

F1 Word in art. 47(4) substituted (18.11.2014) by [Legal Aid and Coroners’ Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), s. 12(2)(d)(v), [Sch. 2 para. 6\(38\)](#) (with ss. 2(3), 9, [Sch. 1 para. 3\(3\)](#)) (but this amendment cannot take effect until the commencement of S.I. 2003/435, art. 47)

F2 [2002 c. 26](#)

Commencement Information

I1 [Art. 47](#) in operation at 1.4.2015 by [S.R. 2015/194](#), art. 2, [Sch.](#) (with [art. 3](#))

Changes to legislation:

Access to Justice (Northern Ireland) Order 2003, Section 47 is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 para. 2(ic)(id) inserted by [2023 c. 37 s. 56\(8\)](#)
- Sch. 4 para. 10(b)(c) coming into force by [S.R. 2015/194 art. 2Sch.](#) (This amendment is not be applied - relevant text is not available on [legislation.gov.uk](#))
- art. 14(2AA) inserted by [2023 c. 37 s. 56\(7\)](#)
- art. 27A inserted by [2011 c. 24 \(N.I.\) s. 84\(2\)](#)
- art. 27A(1)(2) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(28\)](#)
- art. 46(5A) inserted by [2011 c. 24 \(N.I.\) s. 84\(4\)](#)