



Criminal Defence Service Act 2006

2006 CHAPTER 9

4 Consequential amendments

- (1) In section 1(3) of the Attachment of Earnings Act 1971 (c. 32) (cases in which magistrates' court may make an attachment of earnings order), in paragraph (c) (attachment to secure payment of sum due under order under section 17(2) of the Access to Justice Act 1999 (c. 22)), at the end there is inserted “or under regulations under section 17A(1) of that Act”.
- (2) Subsection (3) applies to the following enactments—
 - (a) section 23(5A) of the Children and Young Persons Act 1969 (c. 54) (security requirement not to be imposed in respect of person not legally represented in court, except in certain cases),
 - (b) subsection (4A) of that section as it has effect by virtue of section 98 of the Crime and Disorder Act 1998 (c. 37) (requirement to remand to secure accommodation not to apply where person not legally represented in court, except in certain cases),
 - (c) section 83(3) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (cases in which restriction on imposing custodial sentences on persons not legally represented in court does not apply),
 - (d) paragraph 5(7) of Schedule 6 to that Act (local authority residence requirement not to be imposed in respect of offender not legally represented in court, except in certain cases), and
 - (e) paragraph 5A(6) of that Schedule (foster parent residence requirement not to be imposed in respect of offender not legally represented in court, except in certain cases).
- (3) In each of the enactments to which this subsection applies—
 - (a) in paragraph (a) (right to representation funded by the Legal Services Commission as part of the Criminal Defence Service withdrawn because of conduct), after “conduct” there is inserted “or because it appeared that his financial resources were such that he was not eligible to be granted such a right”, and
 - (b) for “or” at the end of that paragraph there is substituted—

Status: This is the original version (as it was originally enacted).

“(aa) he applied for such representation and the application was refused because it appeared that his financial resources were such that he was not eligible to be granted a right to it; or”.