
STATUTORY INSTRUMENTS

2000 No. 1802

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

**The Legal Aid in Criminal and Care Proceedings
(Costs) (Amendment) Regulations 2000**

<i>Made</i>	- - - -	<i>28th June 2000</i>
<i>Laid before Parliament</i>		<i>10th July 2000</i>
<i>Coming in force</i>	- -	<i>1st August 2000</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 25(2), 34 and 43 of the Legal Aid Act 1988(1), having had regard to the matters specified in section 34(9), and having consulted the General Council of the Bar and the Law Society, and with the consent of the Treasury, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Legal Aid in Criminal and Care Proceedings (Costs) (Amendment) Regulations 2000 and shall come into force on 1st August 2000.

Interpretation

2. In these Regulations, any reference to a regulation by number alone is a reference to the regulation so numbered in the Legal Aid in Criminal and Care Proceedings (Costs) (Regulations) 1989(2).

Amendments to the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989

3. In regulation 2, after the definition of “legal executive” the following shall be inserted:
““the Legal Services Commission” means the Legal Services Commission established under section 1 of the Access to Justice Act 1999(3);”

(1) 1988 c. 34; sections 25(2), 34 and 43 were amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraphs 60 and 63. Section 43 is cited because of the meaning given to “regulations”.

(2) S.I.1989/343, as amended by S.I. 1992/592.

(3) 1999 c. 22. By virtue of Schedule 14, paragraph 2 to the Access to Justice Act 1999, the functions of the Legal Aid Board were transferred to the Legal Services Commission on 1st April 2000 when section 1 of that Act came into force.

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4.—(1) The following words shall be inserted at the beginning of regulation 4(1): “Subject to paragraph (3),”.

(2) The following paragraph shall be inserted after regulation 4(2):

“(3) These Regulations shall not apply to costs in proceedings in relation to which the Legal Services Commission has granted a contract which determines costs, except to the extent that the terms of the contract provide otherwise.”.

Signed by the authority of the Lord Chancellor

David Lock
Parliamentary Secretary,
Lord Chancellor’s Department

We consent

Bob Ainsworth
David Jamieson
Two of the Lords Commissioners of Her
Majesty’s Treasury

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989 so as to provide that they do not apply to costs in proceedings in relation to which the Legal Services Commission has granted a contract which determines costs, unless they are applied by the terms of the contract itself.