

2001 No. 179

LEGAL AID AND ADVICE, ENGLAND AND WALES

**The Legal Advice and Assistance (Scope) (Amendment)
Regulations 2001**

Made - - - - - 26th January 2001

Coming into force - - - - - 19th February 2001

The Lord Chancellor, in exercise of the powers conferred upon him by section 8 of the Legal Aid Act 1988(a), makes the following Regulations, a draft of which has been laid before and approved by resolution of each House of Parliament:

Citation and commencement

1. These Regulations may be cited as the Legal Advice and Assistance (Scope) (Amendment) Regulations 2001 and shall come into force on 19th February 2001.

Amendment to the Legal Advice and Assistance (Scope) Regulations 1989

2. In regulation 9 of the Legal Advice and Assistance (Scope) Regulations 1989(b)—
- (a) in sub-paragraph (d), for “1991.” there shall be substituted “1991;”;
 - (b) after sub-paragraph (d), the following sub-paragraph shall be inserted—
 - “(e) to a person in connection with an application for a warrant of further detention, or for an extension of such a warrant, made in respect of that person to a judicial authority under paragraph 29 or 36 of Schedule 8 to the Terrorism Act 2000(c).”.

Dated 26th January 2001

Irvine of Lairg, C.

(a) 1988 c. 34. Section 8 of the Legal Aid Act 1988 is repealed (together with other provisions) by Part I of Schedule 15 to the Access to Justice Act 1999 (c. 22), which was brought into force on 1st April 2000 by the Access to Justice Act 1999 (Commencement No. 3, Transitional Provisions and Savings) Order 2000 (S.I. 2000/774), but subject to savings in respect (inter alia) of assistance by way of representation relating to actual or contemplated criminal investigations or proceedings.

(b) S.I. 1989/550: relevant amendment instruments are S.I. 1994/2768, 1997/997 and 1999/3377.

(c) 2000 c.11.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Advice and Assistance (Scope) Regulations 1989 (S.I. 1989/550) so as to make assistance by way of representation available to a person in respect of whom an application is made for a warrant of further detention, or an extension of such a warrant, under Schedule 8 to the Terrorism Act 2000.

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