

2001 No. 3698

**CONTRACTING OUT
SUPREME COURT OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES**

The Contracting Out (Administrative and Other Court Staff) Order 2001

Made - - - - - 14th November 2001

Laid before Parliament 19th November 2001

Coming into force - - 10th December 2001

The Lord Chancellor, in exercise of the powers conferred upon him by section 27(3) of the Courts Act 1971^(a) and by that section as applied by section 4(7) of the Taxes Management Act 1970^(b) and section 82(3) of the Value Added Tax Act 1994^(c), and after consulting with the senior judges in accordance with section 27(6) of the Courts Act 1971, makes the following Order:

Citation and commencement

1. This Order may be cited as the Contracting Out (Administrative and Other Court Staff) Order 2001 and shall come into force on 10th December 2001.

Contracting out of functions

2. The Lord Chancellor may enter into contracts with such persons as he sees fit for the provision for the purposes mentioned in section 27(1) of the Courts Act 1971, by those persons or by sub-contractors of theirs, of officers and staff for the Supreme Court and for county courts in England and Wales.

3. The Lord Chancellor may enter into contracts with such persons as he sees fit for the provision by those persons or by sub-contractors of theirs of officers and staff for carrying out the administrative work of—

- (a) the Commissioners for the special purposes of the Income Tax Acts; and
- (b) in England and Wales, any tribunal constituted in accordance with Schedule 12 to the Value Added Tax Act 1994.

Signed

Rosie Winterton
Parliamentary Secretary
Lord Chancellor's Department

Date 14th November 2001

(a) 1971 c. 23; section 27 was substituted by paragraph 2 of Schedule 16 to the Deregulation and Contracting Out Act 1994 (c. 40).
(b) 1970 c. 9; section 4 was substituted by paragraph 1 of Schedule 22 to the Finance Act 1984 (c. 43).
(c) 1994 c. 23.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order enables the Lord Chancellor to enter into contracts for the provision of court staff by independent contractors. The court staff in question are those responsible for maintaining an administrative court service, for discharging the statutory functions of court officers and for generally carrying out the administrative work of the courts. The Order also enable the Lord Chancellor to enter into contracts for the provision of staff for carrying out the administrative work of the Special Commissioners, and of the VAT Tribunals in England and Wales. By virtue of section 27(4) of the Courts Act 1971, neither the contractors nor any officers or staff appointed by them may exercise any judicial functions or any power of arrest.

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