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STATUTORY INSTRUMENTS

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**2013 No. 77**

**The Legal Aid, Sentencing and Punishment of Offenders Act  
2012 (Commencement No. 5 and Saving Provision) Order 2013**

**Provisions coming into force on 19th January 2013**

2.—(1) Subject to article 4, the following provisions of the 2012 Act come into force on 19th January 2013 for the purpose only of exercising any power to make orders, regulations or rules of court—

- (a) section 44 (conditional fee agreements: success fees)(1);
- (b) section 45 (damages-based agreements)(2), in so far as it is not already in force for that purpose; and
- (c) section 46 (recovery of insurance premiums).

(2) Section 48 (sections 44 and 46 and diffuse mesothelioma proceedings) of the 2012 Act comes into force on 19th January 2013.

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(1) Section 44 of the 2012 Act amends sections 58 and 58A of the Courts and Legal Services Act 1990. Section 58 was substituted, and section 58A was inserted, by section 27(1) of the Access to Justice Act 1999 (c.22) and was amended by the Transfer of Functions (Lord Chancellor and Secretary of State) Order 2005 (S.I. 2005/3429). Section 58A was amended by section 139 of, and Schedule 3 to, the Adoption and Children Act 2002 (c.38), section 261 of, and Schedules 27 and 30 to, the Civil Partnership Act 2004 (c.33), the Transfer of Functions (Lord Chancellor and Secretary of State) Order 2005 and section 3 of, and Schedule 2 to, the Forced Marriage (Civil Protection) Act 2007 (c.20).

(2) Section 45 of the 2012 Act amends section 58AA of the Courts and Legal Services Act 1990, which was inserted by section 154 of the Coroners and Justices Act 2009 (c.25).