

*Status: Point in time view as at 01/04/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Legal Aid and Coroners' Courts Act (Northern Ireland) 2014, Section 4. (See end of Document for details)*



## 2014 CHAPTER 11

### **PART 1**

#### **LEGAL AID**

##### *The Director of Legal Aid Casework*

#### **Delegation of functions of Director**

4.—(1) The functions conferred on the Director by any statutory provision may be exercised by, or by employees of, a person authorised by the Director for that purpose.

(2) A direction given by the Department under section 3 about the carrying out of the Director's functions may, in particular, require the Director—

- (a) to authorise, or not to authorise, a person to carry out a function specified in the direction, or
- (b) to authorise, or not to authorise, a person specified, or of a description specified, in the direction to carry out such a function.

(3) An authorisation given for the purposes of a function under any statutory provision may provide that the function may be exercised—

- (a) wholly or to a limited extent,
- (b) generally or in particular cases or areas,
- (c) unconditionally or subject to conditions,

but that is subject to any provision made by the statutory provision in question.

(4) An authorisation given for the purposes of this section—

- (a) may specify its duration,

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- (b) may specify or describe the authorised person,
- (c) may be varied or revoked at any time by the Director, and
- (d) does not prevent the Director or another person from exercising the function to which the authorisation relates.

(5) Anything done or omitted to be done by or in relation to the authorised person (or an employee of such a person) in, or in connection with, the exercise or purported exercise of the function concerned is to be treated for all purposes as done or omitted to be done by or in relation to the Director.

(6) Subsection (5)—

- (a) does not affect the rights and liabilities of the authorised person or the Department under any agreement made between them,
- (b) does not prevent any civil proceedings which could otherwise be brought by or against the authorised person (or an employee of that person) from being brought, and
- (c) does not apply for the purposes of criminal proceedings brought in respect of anything done or omitted to be done by the authorised person (or an employee of that person).

(7) Where—

- (a) an authorisation given for the purposes of this section is revoked, and
- (b) at the time of the revocation so much of any contract made between the authorised person and the Department as relates to the exercise of the function is subsisting,

the authorised person is entitled to treat the contract as repudiated by the Department (and not as frustrated by reason of the revocation).

(8) In this section “authorised person” means a person authorised for the purposes of this section.

**Commencement Information**

**II** S. 4 in operation at 1.4.2015 by S.R. 2015/193, art. 2(b)

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