STATUTORY INSTRUMENTS

2003 No. 435

Access to Justice (Northern Ireland) Order 2003

PART II

NORTHERN IRELAND LEGAL SERVICES COMMISSION

Civil legal services

Civil legal services

10.—(1) For the purposes of this Order "civil legal services" means advice, assistance and representation, other than advice, assistance or representation which the Commission is required to fund as criminal defence services.

(2) The Lord Chancellor may by order provide that "civil legal services" is to include services (other than advice, assistance and representation) which—

(a) are specified in the order,

(b) fall within any of the descriptions specified in paragraph (3), and

(c) are not services which the Commission is required to fund as criminal defence services.

(3) The descriptions of services referred to in paragraph (2) are—

(a) the provision of general information about the law and legal system and the availability of legal services,

(b) the provision of help by the giving of advice as to how the law applies in particular circumstances,

(c) the provision of help in preventing, or settling or otherwise resolving, disputes about legal rights and duties,

(d) the provision of help in enforcing decisions by which such disputes are resolved, and

(e) the provision of help in relation to legal proceedings not relating to disputes.

(4) An order under paragraph (2) may make provision, including provision amending this Order—

(a) about financial matters relating to services specified in the order (including, in particular, provision about eligibility, contributions, charges, remuneration and costs);

(b) modifying the application of Articles 11 to 20 in relation to such services.

(5) Every person who exercises any function relating to civil legal services shall have regard to the desirability of exercising it, so far as is reasonably practicable, so as to—

(a) promote improvements in the quality of those services and in the ways in which they are made accessible to those who need them,

(b) secure that the services provided in relation to any matter are appropriate having regard to its nature and importance, and

(c) achieve the swift and fair resolution of disputes without unnecessary or unduly protracted proceedings in court.