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STATUTORY INSTRUMENTS

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**2003 No. 435**

**Access to Justice (Northern Ireland) Order 2003**

[<sup>F1</sup>PART 2

CIVIL LEGAL SERVICES AND CRIMINAL DEFENCE SERVICES]

*Civil legal services*

[<sup>F1</sup>Appeal panels

- 20A.**—(1) The Department must by regulations make provision for—
- (a) the constitution and procedure of appeal panels; and
  - (b) appeals to such a panel against prescribed decisions taken in the exercise of functions conferred or imposed on the Director by or under Articles 12A to 20.
- (2) The regulations may in particular—
- (a) provide for an appeal panel to consist of—
    - (i) a presiding member, selected in the prescribed manner from a list of persons appointed by the Department to act as presiding members of appeal panels; and
    - (ii) a prescribed number of other members, selected in the prescribed manner from a list of persons appointed by the Department to act as other members of appeal panels;
  - (b) prescribe qualifications for appointment to a list mentioned in sub-paragraph (a);
  - (c) provide for disqualifying prescribed persons or persons of prescribed descriptions for membership of an appeal panel;
  - (d) provide for two or more appeal panels to sit at the same time;
  - (e) provide for appeal panels to sit in private, except in such circumstances as may be specified in, or determined in accordance with, the regulations;
  - (f) provide for the decision on an appeal to be taken without hearing any oral representations, except in such cases as may be prescribed;
  - (g) provide for the powers of an appeal panel on determining an appeal;
  - (h) require an appeal panel to give reasons in writing for its decision on an appeal;
  - (i) provide for a decision of the appeal panel on an appeal to be final;
  - (j) provide that all matters relating to the procedure of an appeal panel on an appeal which are not specifically regulated by the regulations are to be determined by the presiding member;
  - (k) contain such other provision as appears to the Department necessary or expedient for the efficient and effective working of the appeal panels.
- (3) The Department—

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**Changes to legislation:** *Access to Justice (Northern Ireland) Order 2003, Section 20A is up to date with all changes known to be in force on or before 13 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) may make payments to the members of an appeal panel of amounts or at rates not exceeding such amounts or rates, and on such conditions, as the Department may determine;
- (b) shall arrange for the provision to appeal panels of such facilities, staff and assistance as the Department considers appropriate;
- (c) shall meet any other costs properly incurred by such panels.]

**F1** Art. 20A inserted (18.11.2014) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014](#) (c. 11), s. 12(2)(d)(ii), [Sch. 2 para. 6\(22\)](#) (with ss. 2(3), 9, Sch. 1 para. 3(3))

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 para. 2(ic)(id) inserted by [2023 c. 37 s. 56\(8\)](#)
- Sch. 4 para. 10(b)(c) coming into force by [S.R. 2015/194 art. 2Sch.](#) (This amendment is not be applied - relevant text is not available on [legislation.gov.uk](#))
- art. 14(2AA) inserted by [2023 c. 37 s. 56\(7\)](#)
- art. 27A inserted by [2011 c. 24 \(N.I.\) s. 84\(2\)](#)
- art. 27A(1)(2) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(28\)](#)
- art. 46(5A) inserted by [2011 c. 24 \(N.I.\) s. 84\(4\)](#)