
STATUTORY INSTRUMENTS

2003 No. 435

Access to Justice (Northern Ireland) Order 2003

[^{F1}PART 2 **N.I.**

CIVIL LEGAL SERVICES AND CRIMINAL DEFENCE SERVICES]

Criminal defence services

Representation **N.I.**

24.—(1) The Commission shall fund representation to which an individual has been granted a right in accordance with Articles 25 to 29.

(2) Subject to the following provisions, the Commission may comply with the duty imposed by paragraph (1) by—

- (a) entering into contracts with persons or bodies for the provision of representation by them,
- (b) making payments to persons or bodies in respect of the provision of representation by them,
- (c) making grants or loans to persons or bodies to enable them to provide, or facilitate the provision of, representation,
- (d) establishing and maintaining bodies to provide, or facilitate the provision of, representation,
- (e) making grants to individuals to enable them to obtain representation,
- (f) employing persons to provide representation, or
- (g) doing anything else which it considers appropriate for funding representation.

(3) The Lord Chancellor—

- (a) shall by order make provision about the payments which may be made by the Commission in respect of any representation provided by non-contracted private practitioners, ^{F1}...

^{F1}(b)

(4) For the purposes of paragraph (3)(a) representation is provided by a non-contracted private practitioner if it is provided, otherwise than pursuant to a contract entered into by the Commission, by a person or body which is neither—

- (a) a person or body in receipt of grants or loans made by the Commission under paragraph (2), nor
- (b) the Commission itself or a body established or maintained by the Commission.

(5) The provision which the Lord Chancellor is required to make by order under paragraph (3)(a) includes provision for reviews of, or appeals against, determinations for the purposes of the order.

(6) The Commission may fund representation by different means—

- (a) in different areas in Northern Ireland, and

Changes to legislation: *Access to Justice (Northern Ireland) Order 2003, Section 24 is up to date with all changes known to be in force on or before 19 June 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*

(b) in relation to different descriptions of cases.

F1 Art. 24(3)(b) and word repealed (1.4.2015) by [Legal Aid and Coroners' Courts Act \(Northern Ireland\) 2014 \(c. 11\)](#), s. 12(1), [Sch. 2 para. 6\(26\)\(b\)](#), **Sch. 3 Pt. 1** (with ss. 2(3), 9, [Sch. 1 para. 3\(3\)](#)); [S.R. 2015/193](#), [art. 2\(f\)](#) (but this amendment cannot take effect until the commencement of S.I. 2003/435, [art. 24\(3\)](#))

Commencement Information

I1 Art. 24(1)(3)-(5) in operation at 1.5.2015 by [S.R. 2015/237](#), [art. 2](#), **Sch. 1** (with [arts. 2\(2\), 3](#))

Changes to legislation:

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Changes and effects yet to be applied to :

- art. 24(1)(2) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(26\)\(a\)](#)
- art. 24(3)(a) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(26\)\(a\)](#)
- art. 24(4) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(26\)\(c\)](#)
- art. 24(6) word substituted by [2014 c. 11 \(N.I.\) Sch. 2 para. 6\(26\)\(c\)](#)

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\(4\)](#)