
DRAFT STATUTORY INSTRUMENTS

2003 No. (N.I.)

NORTHERN IRELAND

Access to Justice (Northern Ireland) Order 2003

*Made - - - -
Coming into operation in accordance with Article
1(2) and (3)*

ACCESS TO JUSTICE (NORTHERN IRELAND) ORDER 2003

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Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, No. 435

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SCHEDULES

SCHEDULE 1 — NORTHERN IRELAND LEGAL SERVICES COMMISSION

Incorporation and status

1. (1) The Commission shall be a body corporate.
2. The Commission shall not be regarded— (a) as the servant...

Tenure of members

3. (1) Subject to paragraphs 4 and 5, any member of...
4. (1) A member of the Commission may resign office by...
5. The Lord Chancellor may terminate the appointment of a member...
6. (1) Subject to sub-paragraphs (2) to (5), the member appointed...

Members' interests

7. (1) Before appointing a person to be a member of...
8. (1) A member of the Commission who is in any...
9. Remuneration
10. Staff
11. (1) The Commission shall make, in respect of such of...
12. Funding of costs relating to administration etc.
13. Proceedings

Provision of information

14. (1) The Commission shall provide the Lord Chancellor with such...

Annual report

15. (1) The Commission shall provide to the Lord Chancellor, as...

Annual plan

16. (1) The Commission shall, before the beginning of each financial...

Accounts and audit

17. (1) The Commission shall keep accounts and shall prepare in...

Instruments

18. (1) The fixing of the seal of the Commission shall...

SCHEDULE 2 — CIVIL LEGAL SERVICES: EXCLUDED SERVICES

1. The Commission may not fund services consisting of the provision...
2. The Commission may not fund services consisting of representation in...
3. (1) These are the proceedings under the Proceeds of Crime...
4. Subject to paragraph 5, the following services may not be...
5. Notwithstanding paragraph 4, the making of a counterclaim for defamation...

SCHEDULE 3 — TRANSITIONAL PROVISIONS AND SAVINGS

Interpretation

1. In this Schedule— “the 1981 Order” means the Legal Aid,...

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Rights, obligations and property

2. (1) Subject to paragraphs 3 and 9, on the first...

The Legal Aid Fund

3. (1) On the first appointed day the legal aid fund...

Part II of the 1981 Order

4. (1) The provisions of this paragraph shall have effect if...

Part III of the 1981 Order

5. (1) The provisions of this paragraph shall have effect if...

Commission's annual plan and annual report

6. (1) Where the Commission exercises any functions by virtue of...

Grants and approvals under the 1981 Order

7. (1) Any grant of legal aid under Part II of...

Chief Executive of the Commission

8. (1) Notwithstanding anything in paragraph 10 of Schedule 1, the...

The Commission: transfers of employment

9. (1) The Commission shall make, not later than such date...
10. (1) Where a person becomes an employee of the Commission...
11. (1) Any dispute as to whether an offer purporting to...

Pensions

12. Any arrangements made by the Law Society under Article 21...

Assistance with functions

13. (1) The Law Society shall give to the Commission all...

SCHEDULE 4 — MINOR AND CONSEQUENTIAL AMENDMENTS

Costs in Criminal Cases Act (Northern Ireland) 1968 (c. 10)

1. (1) The Costs in Criminal Cases Act (Northern Ireland) 1968...

Solicitors (Northern Ireland) Order 1976 (N.I.12)

2. (1) The Solicitors (Northern Ireland) Order 1976 shall be amended...

Sex Discrimination (Northern Ireland) Order 1976 (N.I.15)

3. In Article 75 of the Sex Discrimination (Northern Ireland) Order...

European Communities (Services of Lawyers) Order 1978 (S.I. 1978/1910)

4. In Part 1 of the Schedule to the European Communities...

Criminal Appeal (Northern Ireland) Act 1980 (c. 47)

5. (1) The Criminal Appeal (Northern Ireland) Act 1980 shall be...

Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (N.I. 8)

6. (1) The Legal Aid, Advice and Assistance (Northern Ireland) Order...

Telecommunications Act 1984 (c. 12)

7. In section 52(5) of the Telecommunications Act 1984 (charges to...

Child Abduction and Custody Act 1985 (c. 60)

8. In section 11 of the Child Abduction and Custody Act...

Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988 (N.I. 16)

9. (1) The Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988...

Social Security Administration (Northern Ireland) Act 1992 (c. 8)

10. In section 103(7) of the Social Security Administration (Northern Ireland)...

Children (Northern Ireland) Order 1995 (N.I. 2)

11. In Article 44 of the Children (Northern Ireland) Order 1995...

Children's Evidence (Northern Ireland) Order 1995 (N.I. 3)

12. (1) The Children's Evidence (Northern Ireland) Order 1995 shall be...

Race Relations (Northern Ireland) Order 1997 (N.I. 6)

13. In Article 64(6) of the Race Relations (Northern Ireland) Order...

Northern Ireland Act 1998 (c. 47)

14. In Schedule 10 to the Northern Ireland Act 1998 (devolution...

Freedom of Information Act 2000 (c. 36)

15. In Part VII of Schedule 1 to the Freedom of...

Equality (Disability, etc.) (Northern Ireland) Order 2000 (N.I. 2)

16. In Article 10 of the Equality (Disability, etc.) (Northern Ireland)...

European Communities (Lawyer's Practice) Regulations 2000 (S.I. 2000/1119)

17. In Part 1 of Schedule 3 to the European Communities...

Anti-Terrorism, Crime and Security Act 2001 (c. 24)

18. In Part 2 of Schedule 4 to the Anti-Terrorism, Crime...

SCHEDULE 5 — REPEALS

Explanatory Note