
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Legal Aid, Sentencing and Punishment of Offenders
Act 2012 (Amendment of Schedule 1) Order 2014

PART 3

Transitional provisions

Pre-commencement applications for civil legal services

6.—(1) For the purpose of article 5(a), an application, other than an application made to the CLA, is made before 4th August 2014 if the application is—

- (a) for Controlled Work and the application is signed and dated before 4th August 2014;
- (b) for Licensed Work, other than an application for emergency representation, and the application is—
 - (i) signed and dated before 4th August 2014 and received by the Director by 5.00pm on 11th August 2014; or
 - (ii) submitted through the Client and Cost Management System before 4th August 2014; or
- (c) for emergency representation and the application—
 - (i) results in a determination being made by a provider before 4th August 2014 and that determination is notified within five working days of the determination to the Director;
 - (ii) is emailed or faxed to, and received by, the Director before 4th August 2014; or
 - (iii) is submitted through the Client and Cost Management System before 4th August 2014.

(2) For the purpose of article 5(a), an application that is made to the CLA is made before 4th August 2014 if—

- (a) the individual makes the application to a CLA Specialist Telephone Provider before 12.30pm on 2nd August 2014; or
- (b) the CLA Operator Service transfers the individual to a CLA Specialist Telephone Provider before 12.30pm on 2nd August 2014 and—
 - (i) the call is not answered by the CLA Specialist Telephone Provider before 12.30pm on 2nd August 2014;
 - (ii) the individual leaves a message with the CLA Specialist Telephone Provider before 12.30pm on 2nd August 2014; and
 - (iii) the individual makes the application to a CLA Specialist Telephone Provider within two weeks of leaving the message.

(3) In this article—

“CLA” means the Civil Legal Advice Operator Service and the CLA Specialist Telephone Providers;

“CLA Specialist Telephone Provider” means a provider under the 2013 CLA Contract⁽¹⁾ between a provider and the Lord Chancellor;

“Client and Cost Management System” means the client and cost management system used by the Director in relation to applications for civil legal services;

“emergency representation” means—

- (a) legal representation (within the meaning of regulation 18 of the Merits Criteria Regulations) that is not Controlled Work, or
- (b) family help (higher) (within the meaning of regulation 15(3) of the Merits Criteria Regulations),

which is provided following a determination made on an urgent application;

“provider” means a person who provides civil legal services under Part 1 of the Act (legal aid); and

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday for the purposes of paragraph 1 of Schedule 1 to the Banking and Financial Dealings Act 1971⁽²⁾.

(1) The contract is available at www.justice.gov.uk/legal-aid. Copies can be inspected at the Legal Aid Agency (Head Office) at 102 Petty France, London, SW1H 9AJ.

(2) [1971 c. 80](#).