



Access to Justice Act 1999

1999 CHAPTER 22

PART I

LEGAL SERVICES COMMISSION

Community Legal Service

10 Terms of provision of funded services

- (1) An individual for whom services are funded by the Commission as part of the Community Legal Service shall not be required to make any payment in respect of the services except where regulations otherwise provide.
- (2) Regulations may provide that, in prescribed circumstances, an individual for whom services are so funded shall—
 - (a) pay a fee of such amount as is fixed by or determined under the regulations,
 - (b) if his financial resources are, or relevant conduct is, such as to make him liable to do so under the regulations, pay the cost of the services or make a contribution in respect of the cost of the services of such amount as is so fixed or determined, or
 - (c) if the services relate to a dispute and he has agreed to make a payment (which may exceed the cost of the services) only in specified circumstances, make in those circumstances a payment of the amount agreed, or determined in the manner agreed, by him;and in paragraph (b) “relevant conduct” means conduct in connection with the services (or any application for their funding) or in, or in connection with, any proceedings in relation to which they are provided.
- (3) The regulations may include provision for any amount payable in accordance with the regulations to be payable by periodical payments or one or more capital sums, or both.
- (4) The regulations may also include provision for the payment by an individual of interest (on such terms as may be prescribed) in respect of—

Status: This is the original version (as it was originally enacted).

- (a) any loan made to him by the Commission as part of the Community Legal Service,
 - (b) any payment in respect of the cost of services required by the regulations to be made by him later than the time when the services are provided, or
 - (c) so much of any payment required by the regulations to be made by him which remains unpaid after the time when it is required to be paid.
- (5) The regulations shall include provision for the repayment to an individual of any payment made by him in excess of his liability under the regulations.
- (6) The regulations may—
- (a) include provision requiring the furnishing of information, and
 - (b) make provision for the determination of the cost of services for the purposes of the regulations.
- (7) Except so far as regulations otherwise provide, where services have been funded by the Commission for an individual as part of the Community Legal Service—
- (a) sums expended by the Commission in funding the services (except to the extent that they are recovered under section 11), and
 - (b) other sums payable by the individual by virtue of regulations under this section,
- shall constitute a first charge on any property recovered or preserved by him (whether for himself or any other person) in any proceedings or in any compromise or settlement of any dispute in connection with which the services were provided.
- (8) Regulations may make provision about the charge, including—
- (a) provision as to whether it is in favour of the Commission or the body or person by whom the services were provided, and
 - (b) provision about its enforcement.