



# Legal Aid, Sentencing and Punishment of Offenders Act 2012

## 2012 CHAPTER 10

### PART 1

#### LEGAL AID

##### *Provision of legal aid*

## 6 Authorisations

- (1) An authorisation given for the purposes of section 5 or regulations under that section—
  - (a) may specify its duration,
  - (b) may specify or describe the authorised person,
  - (c) may be varied or revoked at any time by the person who gave it, and
  - (d) does not prevent the Lord Chancellor, the Director or another person from exercising the function to which the authorisation relates.
- (2) Anything done or omitted to be done by or in relation to a person authorised under section 5(1) or regulations under section 5(2) (or an employee of such a person) in, or in connection with, the exercise or purported exercise of the function concerned is to be treated for all purposes as done or omitted to be done by the Lord Chancellor.
- (3) Anything done or omitted to be done by or in relation to a person authorised under section 5(3) or regulations under section 5(4) (or an employee of such a person) in, or in connection with, the exercise or purported exercise of the function concerned is to be treated for all purposes as done or omitted to be done by the Director.
- (4) Subsections (2) and (3)—
  - (a) do not affect the rights and liabilities of the authorised person or the Lord Chancellor under any arrangements made between them,

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*Status: This is the original version (as it was originally enacted).*

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- (b) do not prevent any civil proceedings which could otherwise be brought by or against the authorised person (or an employee of that person) from being brought,
  - (c) do not apply for the purposes of criminal proceedings brought in respect of anything done or omitted to be done by the authorised person (or an employee of that person), and
  - (d) do not make the Lord Chancellor or the Director liable under section 6 of the Human Rights Act 1998 in respect of any act or omission of an authorised person if the act or omission is of a private nature.
- (5) Where—
- (a) an authorisation given for the purposes of section 5 or regulations under that section is revoked, and
  - (b) at the time of the revocation so much of any contract made between the authorised person and the Lord Chancellor as relates to the exercise of the function is subsisting,
- the authorised person is entitled to treat the contract as repudiated by the Lord Chancellor (and not as frustrated by reason of the revocation).
- (6) In this section “authorised person” means a person authorised for the purposes of section 5 or regulations under that section.