
STATUTORY INSTRUMENTS

2000 No. 824

**The Community Legal Service
(Cost Protection) Regulations 2000**

Interpretation

2.—(1) In these Regulations:

“the Act” means the Access to Justice Act 1999;

“certificate” means a certificate issued under the Funding Code certifying a decision to fund services for the client and “emergency certificate” means a certificate certifying a decision to fund Legal Representation for the client in a case of emergency;

“client” means an individual who receives funded services;

“Commission” means the Legal Services Commission established under section 1 of the Act;

“costs order” means an order that a party pay all or part of the costs of proceedings;

“cost protection” means the limit on costs awarded against a client set out in section 11(1) of the Act;

“court” includes any tribunal having the power to award costs in favour of, or against, a party;

“full costs” means, where a section 11(1) costs order is made against a client, the amount of costs which that client would, but for section 11(1) of the Act, have been ordered to pay;

“funded proceedings” means proceedings (including prospective proceedings) in relation to which the client receives funded services or, as the case may be, that part of proceedings during which the client receives funded services;

“funded services” means services which are provided directly for a client and funded for that client by the Commission as part of the Community Legal Service under sections 4 to 11 of the Act;

“Funding Code” means the code approved under section 9 of the Act;

“non-funded party” means a party to proceedings who has not received funded services in relation to those proceedings under a certificate, other than a certificate which has been revoked;

“partner” means a person with whom the person concerned lives as a couple, and includes a person with whom the person concerned is not currently living but from whom he is not living separate and apart;

“proceedings” include proceedings in any tribunal which is a court, as defined in this paragraph;

“receiving party” means a party in favour of whom a costs order is made;

“section 11(1) costs order” means a costs order against a client where cost protection applies;

“solicitor” means a solicitor or another person who is an authorised litigator within the meaning of section 119(1) of the Courts and Legal Services Act 1990(1).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) References to the levels of service listed in paragraph (3) shall be construed as references to the receipt or provision of those levels of service granted in accordance with the Funding Code.

(3) The levels of service referred to in paragraph (2) are:

- (a) Legal Help;
- (b) Help at Court;
- (c) Legal Representation;
- (d) Approved Family Help;
- (e) Investigative Support;
- (f) Litigation Support.