

2009 No. 1894

**LEGAL SERVICES COMMISSION, ENGLAND AND
WALES**

**The Community Legal Service (Financial) (Amendment No. 2)
Regulations 2009**

<i>Made</i> - - - -	<i>15th July 2009</i>
<i>Laid before Parliament</i>	<i>16th July 2009</i>
<i>Coming into force</i> - -	<i>6th August 2009</i>

The Lord Chancellor, in exercise of the powers conferred by sections 7, 10 and 26 of the Access to Justice Act 1999(a), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Legal Service (Financial) (Amendment No. 2) Regulations 2009 and come into force on 6 August 2009.

Amendments to the Community Legal Service (Financial) Regulations 2000

2. The Community Legal Service (Financial) Regulations 2000(b) are amended as follows.
3. In regulation 4(2), after “client is” insert “properly”.
4. In regulation 15(1A)(b), for “is no longer directly or indirectly in receipt of a benefit” substitute “is not, or is no longer, properly in receipt, directly or indirectly, of a benefit”.

Signed by authority of the Lord Chancellor

15th July 2009

Bach
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Legal Service (Financial) Regulations 2000, which govern the financial aspects of the provision of services funded by the Legal Services Commission

(a) 1999 c. 22. Section 26 defines “regulations” as regulations made by the Lord Chancellor. The reference to the Lord Chancellor was changed to the Secretary of State for Constitutional Affairs by S.I. 2003/1887 and changed back to the Lord Chancellor by S.I. 2005/3429.
(b) S.I. 2000/516. Relevant amending instruments are S.I.2005/589, 2008/658 and 2008/1879.

in civil and family matters. A person who receives specified benefits is entitled to funded services. The Regulations make it clear that in assessing whether such a person is, or is any longer, financially eligible for particular services, the Legal Services Commission must be satisfied that the person is not only in receipt of the benefits but also entitled to them.

An impact assessment has not been prepared for this instrument as no impact on businesses, charities or the voluntary sector is foreseen.

© Crown copyright 2009

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.00