
STATUTORY INSTRUMENTS

2011 No. 1027

**The Community Legal Service
(Funding) (Amendment) Order 2011**

Amendments to the 2007 Order

3. In article 3(1)—

(a) after the definition of “the 2007 Act” insert—

““2010 Standard Civil Contract” means the contract so named between the Commission and a provider for the provision of funded services, including the contract for signature, the standard terms, the schedules and the specifications⁽¹⁾;

“advocacy services” means work done—

- (a) by an advocate at a court hearing;
- (b) by an advocate, as such, in connection with an advocates’ meeting;
- (c) by counsel in connection with a conference, and
- (d) by counsel in connection with an opinion;

and fees and rates for advocacy services include (unless different provision is made in this Order) remuneration for preparatory work, attendances, travelling and waiting in relation to those services;

“advocate” means a person exercising a right of audience as a representative of, or on behalf of, a party;

“advocates’ meeting” means an advocates’ meeting directed by the court pursuant to the Public Law Outline;

“certificate” means a certificate issued under Part 2 of the Funding Code;

“child abduction proceedings” means proceedings within section 11.13 of Part 1 of the Funding Code”;

(b) after the definition of “Commission” insert—

““counsel” means—

- (a) a barrister in independent practice; and
- (b) a solicitor or Fellow of the Institute of Legal Executives who does not work in a partnership and who does not hold a Unified Contract”;

(c) in the definition of “family proceedings” omit everything after sub-paragraph (i);

(d) after the definition of “family proceedings” insert—

““final appeal” means any appeal against a final order in family proceedings but does not include—

- (a) an application to the court of first instance for permission to appeal; and
- (b) advice on the merits of appealing against a final order”;

Status: This is the original version (as it was originally made).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

- (e) after the definition of “Mental Health Proceedings” insert—
 - ““provider” means a party to the 2010 Standard Civil Contract other than the Commission;
 - “Public Law Outline” means the outline set out in the table following paragraph 10 of the Practice Direction ‘Public Law Proceedings: Guide to Case Management, April 2010’, made by the President of the Family Division;”;
- (f) in the definition of “Unified Contract” before “between” insert “so named”.