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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Community Legal Service (Funding) Order 2007 ([S.I. 2007/2441](#)) and imposes conditions on the funding of services as part of the Community Legal Service, by limiting the powers of the Legal Services Commission to pay remuneration under contract for the provision of funded services.

The Order inserts five new Schedules into the 2007 Order.

The first Schedule replaces the existing Schedule to the 2007 Order and sets out revised remuneration fees and rates which will be payable for funded services. Words and expressions used in the Schedule, unless otherwise provided, carry the same meaning as in the Legal Services Commission's 2010 Standard Civil Contract or (in relation to services continuing to be provided under the Unified Contract) that contract. These contracts are available on the Legal Services Commission website [www.legalservices.gov.uk](http://www.legalservices.gov.uk).

The second Schedule sets out fees and rates payable for advocacy services in certain family proceedings. The Order requires the Commission to pay remuneration for advocacy services in those proceedings in accordance with the fees and rates in that Schedule and section 2 of the fourth Schedule. It also requires the Commission to pay remuneration for advocacy services in other family proceedings in accordance with section 3 of the fourth Schedule.

The third Schedule contains provisions relating to payment for Family Help (Higher) and Legal Representation services in family private law proceedings. The Order requires the Commission to pay for those services in accordance with the provisions of that schedule.

The fifth Schedule contains provisions relating to the payment of certain types of disbursements.

An impact assessment in respect of the changes given effect by this Order was published on 21st October 2009 by the Legal Services Commission as part of "Family Legal Aid Funding from 2010: a Consultation Response" and is available from the Commission at 4 Abbey Orchard Street, London SW1P 2BS or at [www.legalservices.gov.uk](http://www.legalservices.gov.uk).