
STATUTORY INSTRUMENTS

2013 No. 534

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Consequential, Transitional and Saving Provisions) Regulations 2013

Saving and transitional provisions

6.—(1) The provisions commenced by article 3(a) and (e) to (i) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Commencement No. 6) Order 2013⁽¹⁾ (“the Commencement No. 6 Order”), with the exception of section 38(1) of the Act (abolition of the Legal Services Commission), do not apply to a pre-commencement case.

(2) Paragraph (1) is subject to paragraphs (4) and (5) and regulations 7 to 13.

(3) Accordingly, the following continue to apply to a pre-commencement case—

- (a) Part 1 of the 1999 Act and the Legal Aid Act 1988 and all orders, regulations, guidance, directions or authorisations made or given under them, in so far as they were in force immediately before 1st April 2013;
- (b) any power or duty to make orders or regulations (including orders in relation to the payment of remuneration for funded services) or to give guidance, directions or authorisations; and
- (c) delegations conferred by the Commission before 1st April 2013 in relation to the powers, duties or other functions of the Commission described in regulation 7(2) and (3).

(4) The repeal on 1st April 2013 of the following provisions of the 1999 Act by article 3(a) and (e) to (i) of the Commencement No. 6 Order takes effect in relation to a pre-commencement case—

- (a) section 1 and Schedule 1 (Legal Services Commission);
- (b) section 2 (power to replace Commission with two bodies);
- (c) section 4(4)(a) (duty on persons exercising functions relating to the Community Legal Service);
- (d) section 4(6) (duty of Commission to inform itself about services);
- (e) section 5 (funding of services);
- (f) section 8(8) and (9) (code about provision of funded services);
- (g) section 16(4) (code of conduct);
- (h) section 18 (funding); and
- (i) section 25(2) to (4) (requirements prior to making remuneration orders).

(5) The following provisions of Schedule 5 to the Act (legal aid: consequential amendments) commenced by article 3(a) and (e) to (i) of the Commencement No. 6 Order take effect in relation to a pre-commencement case—

- (a) paragraph 1 (Public Records Act 1958⁽²⁾);

(1) S.I. 2013/453 (C. 19).

(2) 1958 c. 51.

- (b) paragraph 2 (Parliamentary Commissioner Act 1967**(3)**);
- (c) paragraph 10 (House of Commons Disqualification Act 1975**(4)**);
- (d) paragraph 11 (Northern Ireland Assembly Disqualification Act 1975**(5)**);
- (e) paragraph 55 (Freedom of Information Act 2000**(6)**);
- (f) paragraph 66 (Domestic Violence, Crime and Victims Act 2004**(7)**);
- (g) paragraph 70 (Equality Act 2010**(8)**);
- (h) paragraph 71 (Terrorist Asset-Freezing etc. Act 2010**(9)**); and
- (i) the entries in the Table in Part 2 of Schedule 5 (repeals consequential on Part 1 of this Schedule) relating to paragraphs 1, 11 and 12 of Schedule 4 to the 1999 Act.

(3) 1967 c. 13.
(4) 1975 c. 24.
(5) 1975 c. 25.
(6) 2000 c. 36.
(7) 2004 c. 28.
(8) 2010 c. 15.
(9) 2010 c. 38.