



# Access to Justice Act 1999

## 1999 CHAPTER 22

### PART VII

#### SUPPLEMENTARY

##### Modifications etc. (not altering text)

- C1** Pt. 7: functions of the Lord Chancellor transferred (19.8.2003) to the Secretary of State by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 4, [Sch. 1](#) (with art. 6)  
Pt. 7: functions of the Secretary of State transferred (12.1.2006) to the Lord Chancellor by [The Transfer of Functions \(Lord Chancellor and Secretary of State\) Order 2005 \(S.I. 2005/3429\)](#), [art. 3](#) (with arts. 4, 5)

##### 105 Transitional provisions and savings.

Schedule 14 (transitional provisions and savings) has effect.

##### 106 Repeals and revocations.

Schedule 15 (repeals and revocations) has effect.

##### Commencement Information

- II** [S. 106](#) partly in force; [s. 106](#) not in force at Royal Assent see [s. 108\(1\)](#); [s. 106](#) in force for certain purposes at 27.9.1999 and for certain further purposes at 1.11.1999 and for certain further purposes at 12.11.1999 by [S.I. 1999/2657](#), [arts. 2\(d\)\(iii\)](#), 3(c), 4(b); [s. 106](#) in force for certain further purposes at 1.1.2000 and for certain further purposes at 1.3.2000 by [S.I. 1999/3344](#), [arts. 2\(d\)](#), 3(b), [Sch. 1](#) (with [art. 4](#)); [s. 106](#) in force for certain purposes at 1.4.2000 by [S.I. 2000/774](#), [art. 2\(c\)\(ii\)](#); [s. 106](#) in force for certain purposes at 31.7.2000 by [S.I. 2000/1920](#), [art. 2\(c\)\(3\)\(c\)](#); [s. 106](#) in force for certain purposes at 8.1.2001 by [S.I. 2000/3280](#), [art. 2\(c\)](#); [s. 106](#) in force for specified purposes at 19.2.2001 by [S.I. 2001/168](#), [art. 2\(c\)](#); [s. 106](#) in force for specified purposes at 1.4.2001 by [S.I. 2001/916](#), [art. 2\(c\)\(iv\)](#); [s. 106](#) in force for specified purposes at 2.4.2001 by [S.I. 2001/916](#), [art. 3\(b\)](#)

---

*Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Part VII. (See end of Document for details)*

---

## 107 Crown application.

This Act binds the Crown.

## 108 Commencement.

- (1) Subject to subsections (2) and (3), the preceding provisions of this Act shall come into force on such day as the Lord Chancellor [<sup>F1</sup>or Secretary of State] may by order made by statutory instrument appoint; and different days may be appointed for different purposes and, in the case of section 67(2), for different areas.
- (2) Section 45 shall come into force on the day on which this Act is passed.
- (3) The following provisions shall come into force at the end of the period of two months beginning with the day on which this Act is passed—
  - (a) in Part II, sections 32 to 34,
  - (b) Part IV, apart from section 66 and Schedule 9 and sections 67(2) and 71,
  - (c) in Part V, sections 74 to 76, 81, 82, 84, 86 and 87 and Schedule 10,
  - (d) in Part VI, section 104,
  - (e) Schedule 14,
  - (f) in Schedule 15, Part III and Part V(1) and (5), apart from the provisions specified in subsection (4), and
  - (g) section 107.
- (4) The provisions excepted from subsection (3)(f) are the repeal of section 67(8) of the <sup>M1</sup>Magistrates' Courts Act 1980 (and that in Schedule 11 to the <sup>M2</sup>Children Act 1989) contained in Part V(1) of Schedule 15.

### Subordinate Legislation Made

- P1** S. 108(1): power partly exercised (21.9.1999): different dates appointed for specified provisions by [S.I. 1999/2657](#), [arts. 2, 3, 4](#), [Sch. 1](#), [Sch. 2](#)
- S. 108(1): power partly exercised (13.12.1999): different dates appointed for specified provisions by [S.I. 1999/3344](#), [arts. 2, 3](#), [Sch. 1](#) (with [art. 4](#), [Sch. 2](#))
- S. 108(1): power partly exercised (20.3.2000): 1.4.2000 appointed for specified provisions by [S.I. 2000/774](#), [art. 2](#) (with [arts. 3-5](#))
- S. 108(1): power partly exercised (19.7.2000): different dates appointed for specified provisions by [S.I. 2000/1920](#), [arts. 2, 3](#) (with [art. 4](#))
- S. 108(1): power partly exercised (13.12.2000): 8.1.2001 appointed for specified provisions by [S.I. 2000/3280](#), [art. 2](#) (with [art. 3](#))
- S. 108(1): power partly exercised: 19.2.2001 appointed for specified provisions by [S.I. 2001/168](#), [art. 1](#)
- S. 108(1) power partly exercised: different dates appointed for specified provisions by [S.I. 2001/916](#), [art. 2](#)
- S. 108(1) power partly exercised: 25.5.2001 appointed for specified purposes by [S.I. 2001/1655](#), [art. 2](#)
- P2** S. 108(1) power partly exercised: 31.3.2003 appointed for specified provisions by [{S.I. 2003/207}](#), [art. 2](#) (with [art. 3](#))
- P3** S. 108(1) power partly exercised: 2.6.2003 appointed for specified provision by [{S.I. 2003/1241}](#), [art. 2](#)
- P4** S. 108(1) power partly exercised: 1.11.2003 appointed for specified provisions by [{S.I. 2003/2571}](#), [art. 2](#)

---

*Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Part VII. (See end of Document for details)*

---

**Textual Amendments**

**F1** Words in s. 108(1) inserted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, **Sch. 2 para. 11(2)**

**Modifications etc. (not altering text)**

**C2** [S. 108\(1\)](#): certain functions transferred (28.2.2003) to the Scottish Ministers by [The Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2003 \(S.I. 2003/415\)](#), arts. 1, 2, **Sch.** (with art. 5)

**Marginal Citations**

**M1** [1980 c.43](#).  
**M2** [1989 c.41](#).

**109 Extent.**

- (1) Sections 32 to 34 and 73(2) extend to Scotland.
- (2) Sections 98(2) and (3) and 104(2) extend to Northern Ireland.
- (3) Sections 68, 101, 102 and 103 extend to England and Wales, Scotland and Northern Ireland.
- (4) The other provisions of this Act which make amendments or repeals or revocations in other enactments also have the same extent as the enactments which they amend or repeal or revoke.
- (5) Subject to subsection (4), the provisions of this Part (including paragraph 1, but not the rest, of Schedule 14) extend to England and Wales, Scotland and Northern Ireland.
- (6) Subject to the preceding provisions, this Act extends to England and Wales.
- (7) For the purposes of the <sup>M3</sup>Scotland Act 1998 this Act, so far as it extends to Scotland, shall be taken to be a pre-commencement enactment within the meaning of that Act.

**Marginal Citations**

**M3** [1998 c.46](#).

**110 Short title.**

This Act may be cited as the Access to Justice Act 1999.

**Changes to legislation:**

There are currently no known outstanding effects for the Access to Justice Act 1999, Part VII.