Draft Regulations laid before Parliament under section 25(9) of the Access to Justice Act 1999, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2010 No. xxxx

LEGAL SERVICES COMMISSION, ENGLAND AND WALES

The Criminal Defence Service (Representation Orders: Appeals etc.) (Amendment) Regulations 2010

Made - - - - 2010

Coming into force in accordance with regulation 1

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by section 26 of, and paragraph 4 of Schedule 3 to, the Access to Justice Act 1999(**1**).

A draft of this instrument has been laid before and approved by a resolution of each House of Parliament in accordance with section 25(9) of that Act.

1.—(1) These Regulations may be cited as the Criminal Defence Service (Representation Orders: Appeals etc.) (Amendment) Regulations 2010 and come into force on the day after the day on which they are made.

(2) These Regulations apply to decisions, on or after the date on which the Regulations come into force, not to grant a representation order to an individual on the grounds that the interests of justice do not require such an order to be granted.

(3) In paragraph (2) "representation order" means a document granting a right to representation under section 14 of the Access to Justice Act 1999.

2. For regulation 4 of the Criminal Defence Service (Representation Orders: Appeals etc.) Regulations 2006(**2**) substitute—

(**1**) 1999 c. 22. Section 26 of the Act defines "prescribed" as "prescribed by regulations" and "regulations" as regulations made by the Lord Chancellor. The reference to the Lord Chancellor was changed to the Secretary of State by S.I. 2003/1887 and changed back to the Lord Chancellor by S.I. 2005/3429.

(**2**) S.I. 2006/2494, amended by S.I. 2009/3329.