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

2004 No.

LEGAL SERVICES COMMISSION, ENGLAND AND WALES

The Criminal Defence Service (Choice in Very High Cost Cases)(Amendment) Regulations 2004

Made - - - -	*2004*
Coming into force - -	*2004*

The Secretary of State, in exercise of the powers conferred by section 15(5) and (6) of the Access to Justice Act 1999(**1**) and now vested in him(**2**), makes the following Regulations, a draft of which has been laid before and approved by resolution of each House of Parliament:

1.—(1) These Regulations may be cited as the Criminal Defence Service (Choice in Very High Cost Cases)(Amendment) Regulations 2004 and shall come into force on the day after the day on which they are made.

(2) In these Regulations, a regulation referred to by number alone means the regulation so numbered in the Criminal Defence Service (Choice in Very High Cost Cases) Regulations 2001(**3**).

2. In regulation 2—

(a) after the definition of "representation order" insert—

""the Specialist Fraud Panel" means the panel of solicitors determined by the Commission as those suitable to deal with very high cost fraud cases;";

(b) in the definition of "Very High Cost Case", after sub-paragraph (b) insert—

"and any question as to whether the case fulfils either of the criteria in sub-paragraphs (a) and (b) above shall be determined by the Commission; and";

(c) after the definition of "Very High Cost Case" insert—

""very high cost fraud case" means a Very High Cost Case with regard to which the offence with which the defendant is charged is primarily or substantially

(**1**) 1999 c. 22. "Prescribed" and "regulations" are defined in section 26 of the Access to Justice Act 1999.
(**2**) By virtue of the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887), articles 4(1) and 9, Schedule 1 and Schedule 2 paragraph 11(1)(a).
(**3**) S.I. 2001/1169.