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 No.2) Regulations 2004

Made - - - -	*2004*
Coming into force - -	*1st January 2005*

The Secretary of State, in exercise of the powers conferred by sections 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 a resolution of each House of Parliament:

1. These Regulations may be cited as the Criminal Defence Service (Choice in Very High Cost Cases) (Amendment No.2) Regulations 2004 and shall come into force on 1st January 2005.

2. In regulation 2 of the Criminal Defence Service (Choice in Very High Cost Cases) Regulations 2001(**3**), for the definition of "a Very High Cost Case" substitute—

> ""a Very High Cost Case" is a case where if the case proceeds to trial, that trial would be likely to last for 41 days or longer, and any question as to whether the case fulfils this criterion shall be determined by the Commission; and".

(**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; amended by S.I.2004/598.