

**Changes to legislation:** Access to Justice Act 1999, SCHEDULE 4 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 4

Section 24.

#### AMENDMENTS CONSEQUENTIAL ON PART I

##### *The Public Records Act 1958 (c.51)*

<sup>F1</sup>1 .....

#### Textual Amendments

- F1** Sch. 4 para. 1 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

##### *The Parliamentary Commissioner Act 1967 (c.13)*

2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (which lists the bodies subject to the jurisdiction of the Parliamentary Commissioner), insert (at the appropriate place in alphabetical order)—

“Legal Services Commission”

##### *The Criminal Appeal Act 1968 (c.19)*

3 In section 50 of the Criminal Appeal Act 1968 (meaning of “sentence”), at the end insert—

“(3) An order under section 17 of the Access to Justice Act 1999 is not a sentence for the purposes of this Act.”

##### *The Children and Young Persons Act 1969 (c.54)*

<sup>F2</sup>4 .....

#### Textual Amendments

- F2** Sch. 4 para. 4 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 41](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

<sup>F3</sup>5 .....

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**Textual Amendments**

**F3** Sch. 4 para. 5 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**F4**<sup>6</sup> .....

**Textual Amendments**

**F4** Sch. 4 para. 6 omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 41**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

**F5**<sup>7</sup> .....

**Textual Amendments**

**F5** Sch. 4 para. 7 omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 12 para. 41**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

*The Attachment of Earnings Act 1971 (c.32)*

**F6**<sup>8</sup> .....

**Textual Amendments**

**F6** Sch. 4 para. 8 repealed (1.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 5 Pt. 2**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Powers of Criminal Courts Act 1973 (c.62)*

**F7**<sup>9</sup> .....

**Textual Amendments**

**F7** Sch. 4 para. 9 repealed (25.8.2000) by 2000 c. 6, ss. 165(4), 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

*The Solicitors Act 1974 (c.47)*

**F8**<sup>10</sup> .....

**Textual Amendments**

**F8** Sch. 4 paras. 10-12 repealed (1.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 5 Pt. 2**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

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*The House of Commons Disqualification Act 1975 (c.24)*

<sup>F8</sup>11 .....

**Textual Amendments**

**F8** Sch. 4 paras. 10-12 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Northern Ireland Assembly Disqualification Act 1975 (c.25)*

<sup>F8</sup>12 .....

**Textual Amendments**

**F8** Sch. 4 paras. 10-12 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Sex Discrimination Act 1975 (c.65)*

13 <sup>F9</sup> .....

**Textual Amendments**

**F9** Sch. 4 para. 13 repealed (1.10.2007) by [Equality Act 2006 \(c. 3\)](#), ss. 91, 93, [Sch. 4](#) (with s. 92); S.I. 2007/2603, [art. 2](#)

*The Race Relations Act 1976 (c.74)*

14 <sup>F10</sup> .....

**Textual Amendments**

**F10** Sch. 4 para. 14 repealed (1.10.2007) by [Equality Act 2006 \(c. 3\)](#), ss. 91, 93, [Sch. 4](#) (with s. 92); S.I. 2007/2603, [art. 2](#)

*The Magistrates' Courts Act 1980 (c.43)*

<sup>F11</sup>15 .....

**Textual Amendments**

**F11** Sch. 4 paras. 15-19 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

<sup>F11</sup>16 .....

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**Textual Amendments**

**F11** Sch. 4 paras. 15-19 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

<sup>F11</sup>17 .....

**Textual Amendments**

**F11** Sch. 4 paras. 15-19 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

<sup>F11</sup>18 .....

**Textual Amendments**

**F11** Sch. 4 paras. 15-19 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

<sup>F11</sup>19 .....

**Textual Amendments**

**F11** Sch. 4 paras. 15-19 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

20 <sup>F12</sup> .....

**Textual Amendments**

**F12** Sch. 4 para. 20 repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), ss. 109(3), 110, [Sch. 10](#); S.I. 2005/910, [art. 3\(aa\)\(bb\)](#)

*The <sup>F13</sup>Senior Courts Act 1981*

**Textual Amendments**

**F13** Sch. 4 para. 21 cross-heading: words wherever they occur in any enactment substituted (1.10.2009) by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2](#)

21 The <sup>F14</sup>Senior Courts Act 1981] has effect subject to the following amendments.

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**Textual Amendments**

**F14** Sch. 4 para. 21: for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2](#)

22 In section 28 (appeal by way of case stated from decisions of Crown Court, other than those relating to trial on indictment), at the end insert—

“(4) In subsection (2)(a) the reference to a decision of the Crown Court relating to trial on indictment does not include a decision relating to an order under section 17 of the Access to Justice Act 1999.”

23 In section 29 (judicial review of decisions of Crown Court, other than matters relating to trial on indictment), at the end insert—

“(6) In subsection (3) the reference to the Crown Court’s jurisdiction in matters relating to trial on indictment does not include its jurisdiction relating to orders under section 17 of the Access to Justice Act 1999.”

<sup>F15</sup>24 .....

**Textual Amendments**

**F15** Sch. 4 para. 24 repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))

*The Criminal Justice Act 1982 (c.48)*

<sup>F16</sup>25 .....

**Textual Amendments**

**F16** Sch. 4 para. 25 repealed (25.8.2000) by [2000 c. 6](#), ss. 165(4), 168(1), [Sch. 12 Pt. I](#) (with [Sch. 11 paras. 1, 2](#))

*The Telecommunications Act 1984 (c.12)*

26 [<sup>F17</sup>In section 52(5) of the Telecommunications Act 1984 (charges to recover costs of assistance in legal proceedings subject to legal aid charges), for paragraph (a) substitute—

“(a) any charge imposed by section 10(7) of the Access to Justice Act 1999 and any provision in, or made under, Part I of that Act for the payment of any sum to the Legal Services Commission;”.]

**Textual Amendments**

**F17** Sch. 4 para. 26 repealed (25.7.2003 for specified purposes and 29.12.2003 for further specified purposes) by [Communications Act 2003 \(c. 21\)](#), ss. 406(6)(7), 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19 Note 1](#));

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S.I. 2003/1900, arts. 1(2), **2(1)**, 3(1), Sch. 1 (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, **art. 3(2)** (with art. 11)

*The Prosecution of Offences Act 1985 (c.23)*

27 The Prosecution of Offences Act 1985 has effect subject to the following amendments.

28 In section 19(2)(b) (in making an order for costs account to be taken of grant of representation under Legal Aid Act 1988), for the words from “or any grant” to the end substitute “ or any grant of a right to representation funded by the Legal Services Commission as part of the Criminal Defence Service; ”.

<sup>F18</sup>29 .....

**Textual Amendments**

**F18** Sch. 4 para. 29 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 5 Pt. 2**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

30 (1) Section 21 (interpretation) is amended as follows.

<sup>F19</sup>(2) .....

(3) In subsection (4A)—

<sup>F20</sup>(a) .....

(b) in paragraph (b), for the words from “and 19” to the end substitute “ , 19 and 19A of this Act, his costs shall be taken to include the cost of representation funded for him by the Legal Services Commission as part of the Criminal Defence Service; ”.

**Textual Amendments**

**F19** Sch. 4 para. 30(2) repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 5 Pt. 2**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

**F20** Sch. 4 para. 30(3)(a) repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 5 Pt. 2**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Child Abduction and Custody Act 1985 (c.60)*

31 In section 11 of the Child Abduction and Custody Act 1985 (costs of application for child custody or access), for the words from “by virtue of” to “1988,” substitute “by virtue of—

(a) the provision of any service funded by the Legal Services Commission as part of the Community Legal Service, or

(b) the grant of legal aid or legal advice and assistance under.”

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*The Administration of Justice Act 1985 (c.61)*

32 The Administration of Justice Act 1985 has effect subject to the following amendments.

F21 33 .....

**Textual Amendments**

**F21** Sch. 4 para. 33 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\), s. 151\(1\), Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

34 In section 41(2) (reduction of fees payable in connection with services provided by barristers under Legal Aid Act 1988), for paragraphs (a) and (b) substitute “ otherwise payable by the Legal Services Commission in connection with services provided by him as part of the Community Legal Service or Criminal Defence Service ”.

F22 35 .....

**Textual Amendments**

**F22** Sch. 4 para. 35 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\), s. 151\(1\), Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

36 In section 43(3) (reduction of costs payable in connection with services provided by solicitors under Legal Aid Act 1988), for the words from “any costs” to “solicitor” substitute “ any costs otherwise payable by the Legal Services Commission in connection with services provided by the solicitor as part of the Community Legal Service or Criminal Defence Service ”.

*The Housing Act 1985 (c.68)*

37 In section 170(5) of the Housing Act 1985 (charges to recover costs of assistance in legal proceedings subject to any charge for benefit of Legal Aid Board), for the words from “under the Legal Aid Act 1988” to the end substitute “ imposed by section 10(7) of the Access to Justice Act 1999 and any provision in, or made under, Part I of that Act for the payment of any sum to the Legal Services Commission. ”

*The Criminal Justice Act 1987 (c.38)*

F23 38 .....

**Textual Amendments**

**F23** Sch. 4 paras. 38-40 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\), s. 151\(1\), Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

F23 39 .....

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**Textual Amendments**

**F23** Sch. 4 paras. 38-40 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

**F23**40 .....

**Textual Amendments**

**F23** Sch. 4 paras. 38-40 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Consumer Arbitration Agreements Act 1988 (c.21)*

41 In section 4(3) of the Consumer Arbitration Agreements Act 1988 (availability of legal aid to be considered in determining whether to make reference to arbitration), for “legal aid” substitute “ services funded by the Legal Services Commission as part of the Community Legal Service ”.

*The Housing Act 1988 (c.50)*

42 The Housing Act 1988 has effect subject to the following amendments.

43 In section 82(4) (charge to recover costs of assistance in legal proceedings subject to any charge for benefit of Legal Aid Board), for the words from “under the Legal Aid Act 1988” to the end substitute “ imposed by section 10(7) of the Access to Justice Act 1999 and any provision in, or made under, Part I of that Act for the payment of any sum to the Legal Services Commission. ”

44 In section 107(4) (charge to recover costs of assistance in legal proceedings subject to any charge for benefit of Legal Aid Board), for the words from “under the Legal Aid Act 1988” to the end substitute “ imposed by section 10(7) of the Access to Justice Act 1999 and any provision in, or made under, Part I of that Act for the payment of any sum to the Legal Services Commission. ”

*The Children Act 1989 (c.41)*

**F24**45 .....

**Textual Amendments**

**F24** Sch. 4 para. 45 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Courts and Legal Services Act 1990 (c.41)*

46 **F25** .....



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**Textual Amendments**

**F25** Sch. 4 para. 46 repealed (1.1.2010) by [Legal Services Act 2007 \(c. 29\)](#), ss. 210, 211, **Sch. 23** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2** (with art. 9)

*The Criminal Justice Act 1991 (c.53)*

**F26**47 .....

**Textual Amendments**

**F26** Sch. 4 para. 47 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 5 Pt. 2**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Social Security Administration Act 1992 (c.5)*

- 48 (1) Section 108(7) of the Social Security Administration Act 1992 (Secretary of State to inform Legal Aid Board if he recovers maintenance arrears for a person who owes money to the Board) is amended as follows.
- (2) For “the Legal Aid Board” substitute “ the Legal Services Commission ”.
- (3) In paragraph (a), for “; and” substitute “; or  
(iii) received services funded by the Legal Services Commission as part of the Community Legal Service; and”.
- (4) In paragraph (b), after paragraph (ii) insert “or  
(iii) by virtue of section 10 of the Access to Justice Act 1999 in respect of services funded by the Legal Services Commission as part of the Community Legal Service.”.

*The Criminal Procedure and Investigations Act 1996 (c.25)*

**F27**49 .....

**Textual Amendments**

**F27** Sch. 4 para. 49 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 5 Pt. 2**; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Family Law Act 1996 (c.27)*

**F28**50 .....

**Textual Amendments**

**F28** Sch. 4 paras. 50-52 repealed (13.5.2014) by [Children and Families Act 2014 \(c. 6\)](#), ss. **18(3)(a)**, 139(4)

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F28 51 .....

**Textual Amendments**

**F28** Sch. 4 paras. 50-52 repealed (13.5.2014) by Children and Families Act 2014 (c. 6), ss. 18(3)(a), 139(4)

F29 52 .....

**Textual Amendments**

**F29** Sch. 4 para. 52 repealed (1.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Crime and Disorder Act 1998 (c.37)*

53 The Crime and Disorder Act 1998 has effect subject to the following amendments.

54 F30 .....

**Textual Amendments**

**F30** Sch. 4 para. 54 repealed (2.10.2006) by The Criminal Defence Service (Representation Orders and Consequential Amendments) Regulations 2006 (S.I. 2006/2493), reg. 9 (with reg. 6)

F31 55 .....

**Textual Amendments**

**F31** Sch. 4 para. 55 repealed (1.4.2013) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

*The Disability Rights Commission Act 1999 (c. 17)*

56 F32 .....

**Textual Amendments**

**F32** Sch. 4 para. 56 repealed (1.10.2007) by Equality Act 2006 (c. 3), ss. 91, 93, Sch. 4 (with s. 92); S.I. 2007/2603, art. 2

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**Changes and effects yet to be applied to :**

- Sch. 4 para. 48 repealed by [2012 c. 5 Sch. 14 Pt. 1](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 2(5) and word inserted by [2009 c. 25 s. 51\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 51 repealed (1.4.2013) without ever being in force by [2012 c. 10](#), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h))
- Sch. 2 para. 2(3)(m)(n) inserted by [2009 c. 26 Sch. 7 para. 65\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 7 para. 65 repealed (1.4.2013) without ever being in force by [2012 c. 10](#), s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h)1/4/2013 (with savings and transitional provisions in S.I. 2013/534, art. 6))
- Sch. 2 para. 3(1)(aa) inserted by [2009 c. 26 Sch. 7 para. 65\(3\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 7 para. 65 repealed (1.4.2013) without ever being in force by [2012 c. 10](#), s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h)1/4/2013 (with savings and transitional provisions in S.I. 2013/534, art. 6))
- Sch. 2 para. 3(1)(da)(db) inserted by [2009 c. 26 Sch. 7 para. 65\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 7 para. 65 repealed (1.4.2013) without ever being in force by [2012 c. 10](#), s. 151(1), Sch. 5 Pt. 2; S.I. 2013/453, art. 3(h)1/4/2013 (with savings and transitional provisions in S.I. 2013/534, art. 6))