

**2003 No. 440 (C. 33)**

**ACCESS TO JUSTICE**

**The Access to Justice (Northern Ireland) Order 2003  
(Commencement No. 2) Order (Northern Ireland) 2003**

*Made* - - - - - *4th October 2003*

*Coming into operation* *2nd November 2003*

The Lord Chancellor, in exercise of the powers conferred on him by Articles 1(2) and 48(1) of the Access to Justice (Northern Ireland) Order 2003<sup>(a)</sup> hereby makes the following Order: –

**Citation and interpretation**

**1.** This Order may be cited as the Access to Justice (Northern Ireland) Order 2003 (Commencement No. 2) Order (Northern Ireland) 2003.

**2.** In this Order:

“the 2003 Order” means the Access to Justice (Northern Ireland) Order 2003; and

“the second appointed day” has the same meaning as in paragraph 1 of Schedule 3 to the 2003 Order.

**Commencement**

**3.** The provisions of the 2003 Order specified in the Schedule to this Order shall come into operation on 2nd November 2003 subject to the transitional provisions in Article 4 of this Order.

**Transitional provisions**

**4.**—Until the second appointed day –

(1) in Article 12(8)

(a) in sub-paragraph (a) for the words “any of the services specified in Schedule 2” there shall be substituted the words “advice, assistance or representation”;

(b) in sub-paragraph (b) for the words “any of those services” there shall be substituted the words “advice, assistance or representation”;

(2) in Article 12(9)

(a) for the words “a service specified in Schedule 2” there shall be substituted the words “advice, assistance or representation”;

(b) for the words “the service” there shall be substituted the words “the advice, assistance or representation”; and

(3) in Article 12(10) for the words “Articles 13 to 20 do not apply to civil legal services funded” there shall be substituted the words “Articles 9, 10(1) and (4) to (5), 11, 12, 13,

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<sup>(a)</sup> S.I. 2003/435 (N.I. 10)

14, 16 and 17 of and Schedule 2 to the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981<sup>(a)</sup> do not apply to funding”.

Signed by authority of the Lord Chancellor

*Lord Filkin*  
Parliamentary Under Secretary of State

Department of Constitutional Affairs  
Dated 4th October 2003

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<sup>(a)</sup> S.I. 1981/228 (N.I. 8)

SCHEDULE

Article 3

PROVISIONS OF THE ACCESS TO JUSTICE (NORTHERN IRELAND) ORDER 2003 COMING INTO OPERATION ON 2nd NOVEMBER 2003

<i>Provision of the Access to Justice (Northern Ireland) Order 2003</i>	<i>Subject matter of provision</i>
Articles 12(8) to (11)	Services which may be funded
Article 49(1) and (2) to the extent necessary to bring into operation the provisions of Schedules 4 and 5 specified in this Schedule	Minor and consequential amendments and Repeals
Schedule 4, paragraphs 6(1) and (2)	Minor and consequential amendments
Schedule 5, in the entry in respect of the Justice (Northern Ireland) Act 2002, the repeal of section 76 and Schedule 12 paragraphs 18 to 22	Repeals

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Commencement Order which is the second to be made under the Access to Justice (Northern Ireland) Order 2003 brings into operation on 2nd November 2003 those provisions of the Order set out in the Schedule to this Order.

The coming into operation of Article 12(8) to (10) is subject to the transitional provisions in Article 4 of this Order.

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

<i>Provision of Order</i>	<i>Date of Commencement</i>	<i>Statutory Rule Number</i>
Article 3(1) and (4) partially	28th July 2003	S.R. 2003 No. 344
Article 4	28th July 2003	
Article 48(2) and (3) partially	28th July 2003	
Schedule 1, paragraphs 1 to 11, 13 and 14	28th July 2003	
Schedule 3, paragraphs 8 to 11	28th July 2003	
Article 3(1), (2), (3) and (4)	1st November 2003	
Article 7(1) to (5)	1st November 2003	
Article 8	1st November 2003	
Article 46(1) and (3)	1st November 2003	(As amended by S.R. 2003 No. 439)
Article 48(2) and (3)	1st November 2003	
Article 49(1) and (2) partially	1st November 2003	
Schedule 1, paragraphs 12(1)(b) and (2) and paragraphs 15 to 18	1st November 2003	
Schedule 3, paragraphs 1 to 7 and paragraphs 12 and 13	1st November 2003	
Schedule 4, paragraphs 10(a) and 17	1st November 2003	
Schedule 5 (partially)	1st November 2003	

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