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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke the Access to Justice (Membership Organisation) Regulations 2000 in respect of arrangements entered into after 1st November 2005, and make new, simplified client-care provisions for the purposes of arrangements entered into on or after that date.

Section 30 of the Access to Justice Act 1999 applies where a body of a description to be specified in regulations undertakes (in accordance with arrangements satisfying conditions to be so specified) to meet liabilities which members of the body or other persons who are parties to proceedings may incur to pay the costs of other parties. Regulation 3 of these Regulations specifies bodies which are for the time being approved by the Secretary of State for this purpose. Regulation 4 specifies the conditions which the arrangements must satisfy.

Under section 30(2) of that Act an additional amount may be included in costs payable to a member of such a body or other person to cover insurance or other provision made by the body against the risk of having to meet those liabilities of the member or other person. Under section 30(3) of that Act that additional amount must not exceed a sum determined in a way specified by regulations. Regulation 5 of these Regulations specifies that sum as the likely cost to the member or other person of the premium of an insurance policy against the risk in question.