

2009 No. 2167

**LEGAL SERVICES COMMISSION, ENGLAND AND
WALES**

**The Criminal Defence Service (General) (No. 2) (Amendment
No. 2) Regulations 2009**

<i>Made</i>	- - - -	<i>6th August 2009</i>
<i>Laid before Parliament</i>		<i>7th August 2009</i>
<i>Coming into force</i>	- -	<i>28th August 2009</i>

The Lord Chancellor makes these Regulations in exercise of the powers conferred by sections 12(2)(g) and 26 of the Access to Justice Act 1999(a).

1. These Regulations may be cited as the Criminal Defence Service (General) (No. 2) (Amendment No. 2) Regulations 2009 and come into force on 28th August 2009.

2. In regulation 3(2) of the Criminal Defence Service (General) (No. 2) Regulations 2001(b), after sub-paragraph (q) insert—

“(r) proceedings under sections 100, 101, 103, 104 and 106 of the Criminal Justice and Immigration Act 2008(c) relating to violent offender orders and interim violent offender orders.”.

Signed by authority of the Lord Chancellor

6th August 2009

Claire M Ward
Parliamentary Under Secretary of State
Ministry of Justice

(a) 1999 c. 22. Section 26 defines “prescribed” as prescribed by regulations and “regulations” as regulations made by the Lord Chancellor. The reference to the Lord Chancellor was changed to the Secretary of State by S.I. 2003/1887 and changed back to the Lord Chancellor by S.I. 2005/3429.

(b) S.I. 2001/1437. Relevant amending instruments are S.I. 2002/712, 2004/1196, 2005/2784 and 2008/725.

(c) 2008 c. 4.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Defence Service (General) (No. 2) Regulations 2001, which govern the provision of publicly funded legal services in criminal cases. They provide that, for the purposes of legal aid, certain proceedings relating to violent offender orders under the Criminal Justice and Immigration Act 2008 are to be regarded as criminal proceedings.

An impact assessment has not been prepared for this instrument as it has no impact on businesses, charities or voluntary bodies.