

2009 No. 2777

**LEGAL SERVICES COMMISSION, ENGLAND AND
WALES**

**The Criminal Defence Service (General) (No.2) (Amendment
No.3) Regulations 2009**

<i>Made</i>	- - - -	<i>15th October 2009</i>
<i>Laid before Parliament</i>		<i>16th October 2009</i>
<i>Coming into force</i>	- -	<i>6th November 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. 3) Regulations 2009 and come into force on 6th November 2009.

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

“(s) proceedings under sections 3, 5, 9 and 10 of the Violent Crime Reduction Act 2006(c) relating to drinking banning orders and interim orders.”.

Signed by authority of the Lord Chancellor

15th October 2009

Bach
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, 2008/725 and 2009/2167.

(c) 2006 c.38.

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 drinking banning orders under the Violent Crime Reduction Act 2006 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.

© Crown copyright 2009

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978-0-11-148645-0

£4.00