STATUTORY INSTRUMENTS

2020 No. 8

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Criminal Legal Aid (General) (Amendment) Regulations 2020

Made - - - -	*6th January 2020*
Laid before Parliament	*7th January 2020*
Coming into force in accordance with regulation 1(2)	

The Lord Chancellor, makes these Regulations in exercise of the powers conferred by sections 14(h), 41(l)(a) and (b) and 41(2)(a) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(**a**).

Citation and commencement

1.—(1) These Regulations may be cited as the Criminal Legal Aid (General) (Amendment) Regulations 2020.

(2) These Regulations come into force on 20th January 2020.

Amendment to the Criminal Legal Aid (General) Regulations 2013

2. After regulation 9(uc) (criminal proceedings) of the Criminal Legal Aid (General) Regulations 2013(**b**) insert—

> ""(ud) proceedings under sections 1, 4, 5 and 7 of the Stalking Protection Act 2019(**c**) in relation to stalking protection orders and interim stalking protection orders, and"."

Wendy Morton
Parliamentary Under Secretary of State
Ministry of Justice

6th January 2020

(**a**) 2012 c. 10; section 42(1) provides that in Part 1 of that Act "regulations" means regulations made by the Lord Chancellor and "prescribed" means prescribed by regulations (except in Schedule 6).
(**b**) S.I. 2013/9; relevant amending instruments are S.I. 2013/472, 2015/326, 2015/838, 2015/1416. Paragraph (uc) is prospectively inserted by section 32(2) of the Offensive Weapons Act 2019 (c. 17).
(**c**) 2019 c. 9.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 9 of the Criminal Legal Aid (General) Regulations 2013 (S.I. 2013/9) ("the General Regulations") makes provision about criminal proceedings for the purposes of section 14(h) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) ("the 2012 Act"). These Regulations amend regulation 9 of the General Regulations to prescribe as criminal proceedings for the purposes of the 2012 Act, proceedings under sections 1, 4, 5 and 7 of the Stalking Protection Act 2019 (c. 9) ("the 2019 Act") in relation to stalking protection orders and interim stalking protection orders.

Proceedings under section 1 concern the application for stalking protection orders by a chief officer of police. Proceedings under section 4 concern applications by the defendant or a relevant chief officer of police to vary, renew or discharge the stalking protection order. Proceedings under section 5 concern interim stalking protection orders. Proceedings under section 7 concern appeals against making or refusal to make an order under the 2019 Act.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary or public sectors is foreseen.

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