

The Legal Services Commission (Disclosure of Information) Regulations 2000 (as amended)

(S.I. 2000 No. 442)

These Regulations have been amended by the Legal Services Commission (Disclosure of Information) (Amendment) Regulations 2001 (S.I.2001 No.857) with effect from 2 April 2001. Amendments are shown in bold.

Legal Services Commission, England and Wales

Made 18th February 2000

Laid before Parliament 25th February 2000

Coming into force 1st April 2000

The Lord Chancellor, in exercise of the powers conferred on him by sections 22(1) and 25 of the Access to Justice Act 1999, and all other powers enabling him in that behalf, makes the following Regulations:

1. Citation and commencement

These Regulations may be cited as the Legal Services Commission (Disclosure of Information) Regulations 2000 and shall come into force on 1st April 2000.

2. Interpretation

In these Regulations:

“the Act” means the Access to Justice Act 1999;

“Commission” means the Legal Services Commission established under section 1 of the Act; and

“supplier” means any person or body who provides services funded by the Commission to a client.

3. The Commission may require a supplier to provide to any person authorised by the Commission to request it such information or documentation as it may from time to time require for the purpose of discharging its functions under the Act or the Legal Aid Act 1988.

4. Where:

- (a) information or documentation is required in accordance with regulation 3; and
- (b) such information or documentation relates to any service provided to a client or former client of the supplier who is or was in receipt of services funded by the Commission

the relationship between or rights of the supplier and client, or any privilege arising out of such relationship, does not preclude the supplier from disclosing such information or documentation.

5. For the purpose of providing information in order to enable the Commission to discharge its functions under the Act or under the Legal Aid Act 1988, any party may disclose to any person authorised by the Commission to receive them communications in relation to the proceedings concerned sent to or by the supplier, whether or not they are expressed to be “without prejudice”.
6. **The Commission shall not disclose to the prosecuting authority any information which:**
 - (a) **is in connection with the defence of the individual concerned; and**
 - (b) **may be used for the purposes of the prosecution of that case.**

Irvine of Lairg, C.

Dated 18th February 2000

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations require the provision of information from suppliers to the Legal Services Commission and waive the rules of privilege and confidentiality regarding disclosure of information relating to the cases of clients or former clients funded by the Commission.