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## EXPLANATORY NOTE

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

This Order in Council, made under the Ministers of the Crown Act 1975, transfers back to the Lord Chancellor functions under the Legal Aid Act 1988, functions relating to the funding of legal services under the Courts and Legal Services Act 1990 and Parts 1 and 2 of the Access to Justice Act 1999, and functions relating to rules under the Human Rights Act 1998. These were transferred from the Lord Chancellor to the Secretary of State by the Secretary of State for Constitutional Affairs Order 2003 (S.I.2003/1887).

The Order also transfers back to the Secretary of State for the Home Department the function of appointing a Conservator under the Wimbledon and Putney Commons Act 1871 which was transferred from that Secretary of State to the Lord Chancellor by the Transfer of Functions (Miscellaneous) Order 2001 (S.I. 2001/3500).

Nothing in this Order alters the functions of the National Assembly for Wales, the Scottish Ministers or the devolved authorities in Northern Ireland.