STATUTORY INSTRUMENTS

2002 No. 711

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Civil Legal Aid (General) (Amendment) Regulations 2002

Made - - - -	*10th March 2002*
Laid before Parliament	*18th March 2002*
Coming into force	*8th April 2002*

The Lord Chancellor, in exercise of the powers conferred on him by sections 34 and 43 of the Legal Aid Act 1988**(a)**, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Civil Legal Aid (General) (Amendment) Regulations 2002 and shall come into force on 8th April 2002.

Interpretation

2. In these Regulations a reference to a regulation by number alone means the regulation so numbered in the Civil Legal Aid (General) Regulations 1989**(b)**.

Amendments to the Civil Legal Aid (General) Regulations 1989

3. The following shall be inserted after regulation 51(f):

"or

(g) it has become desirable to amend, impose or remove a limitation or condition on the certificate.".

4. The following shall be inserted after regulation 81(3):

"(4) Where notice is served under paragraph (1)(a), no further work may be done or steps taken under the certificate unless authorised by the Area Director.".

Signed by authority of the Lord Chancellor

Patricia Scotland
Parliamentary Secretary,
Lord Chancellor's Department

Dated 10th March 2002

(a) 1988 c.34; see the definition of "regulations" in section 43. This Act is repealed by Part I of Schedule 15 to the Access to Justice Act 1999 (c.22), subject to immaterial exceptions, and to transitional provisions and savings contained in S.I. 2000/774 and 916.

(b) S.I. 1989/339. These Regulations are revoked by virtue of the repeal of enabling provisions in the Legal Aid Act 1988, subject to the transitional provisions and savings contained in S.I. 2000/774, which provided, inter alia, that any reference to an "Area Director" shall, in relation to services covered by instruments such as this, be replaced by a reference to a "Regional Director".

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Legal Aid (General) Regulations 1989 in order to provide for the imposition of an embargo against any further work being carried out under a legal aid certificate once notice has been served that it may be discharged or revoked. They also clarify the position regarding amendments of certificates. They apply to transitional cases to which the principal Regulations continue to apply by virtue of the provisions in the Access to Justice Act 1999 (Commencement No. 3, Transitional Provisions and Savings) Order 2000.

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