

Legal Advice and Assistance Act 1972

1972 CHAPTER 50

An Act to make further provision for the purpose of making legal advice and assistance more readily available, including the employment of solicitors by the Law Society or the Law Society of Scotland for that purpose and for the purpose of giving legal aid; and to make provision for purposes connected with those matters.

[27th July 1972]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

ADVICE AND ASSISTANCE

Persons eligible for advice and assistance.

1. Advice and assistance to which this section applies shall, subject to and in accordance with the following provisions of this Part of this Act, be available in Great Britain for any person if—

(*a*) his disposable income does not exceed £20 a week or such larger weekly sum as may be prescribed, or

(*b*) he is (directly or indirectly) in receipt of supplementary benefit under the Ministry of Social Security Act 1966 or of family income supplement under the Family Income Supplements Act 1970,

1966 c. 20.
1970 c. 55.

and (in either case) his disposable capital does not exceed £125 or such larger sum as may be prescribed.

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Advice and assistance to which s. 1 applies.

2.—(1) Subject to the following provisions of this section, and to any prescribed exceptions or conditions, section 1 of this Act applies to any oral or written advice given by a solicitor or, if and so far as may be necessary, by counsel—

(*a*) on the application of English law (where the advice is given in England or Wales) or of Scots law (where the advice is given in Scotland) to any particular circumstances which have arisen in relation to the person seeking the advice, and

(*b*) as to any steps which that person might appropriately take (whether by way of settling any claim, bringing or defending any proceedings, making an agreement, will or other instrument or transaction, obtaining further legal or other advice or assistance, or otherwise) having regard to the application of English law or of Scots law (as the case may be) to those circumstances,

and applies to any assistance given by a solicitor or, if and so far as may be necessary, by counsel to any person in taking any such steps as are mentioned in paragraph (*b*) of this subsection, whether the assistance is given by taking any such steps on his behalf or by assisting him in taking them on his own behalf.

(2) Notwithstanding anything in the preceding subsection, section 1 of this Act does not apply to any advice or assistance given to a person in connection with any proceedings before a court or tribunal—

(*a*) at a time when a legal aid certificate issued to him in connection with those proceedings is in force, or

(*b*) in the case of criminal proceedings, at a time when a legal aid order made in respect of him for the purposes of those proceedings is in force.

(3) Without prejudice to subsection (2) of this section, section 1 of this Act does not apply to any assistance given to a person by taking on his behalf any step in the institution or conduct of any proceedings before a court or tribunal, or of any proceedings in connection with a statutory inquiry, whether by representing him in those proceedings or by otherwise taking any such step on his behalf (as distinct from assisting him in taking such a step on his own behalf), except—

(*a*) in the case of civil proceedings before a court or tribunal, any step which consists only of negotiating on his behalf with a view to a settlement of a claim to which the proceedings relate, and

(*b*) any step consisting of such assistance as is mentioned in the next following subsection.

(4) Section 1 of this Act also applies to any assistance given by a solicitor to any party to proceedings (whether criminal or

civil) before a magistrates' court or to proceedings before a county court, whether by representing him in those proceedings or otherwise in connection with them, where the assistance is given in compliance with a request which is made to the solicitor by the court or given in accordance with a proposal which is made by the solicitor and approved by the court and which (in either case)—

(*a*) is so made or approved at a time (whether at or after the beginning of the proceedings) when the solicitor is present within the precincts of the court, but

(*b*) is not made or approved at any such time as is mentioned in paragraph (*a*) or paragraph (*b*) of subsection (2) of this section.

(5) In the application of this section to Scotland—

(*a*) in subsection (2), for paragraphs (*a*) and (*b*) there shall be substituted the words "at a time when he is receiving legal aid for the purposes of those proceedings", and

(*b*) in subsection (4), for the words "a magistrates' court or to proceedings before a county court" there shall be substituted the words "a sheriff", and in paragraph (*b*) the words "paragraph (*a*) or paragraph (*b*) of" shall be omitted.

(6) In this section "legal aid certificate" means a certificate required, in accordance with regulations made under section 12 of the Act of 1949, to be obtained as a condition of entitlement to legal aid; "legal aid order" means an order made under section 73 of the Criminal Justice Act 1967; and "statutory inquiry" has the meaning assigned to it by section 19(1) of the Tribunals and Inquiries Act 1971. 1967 c. 80. 1971 c. 62.

Financial limit on prospective cost of advice and assistance.

3.—(1) Where under this Part of this Act a person seeks or receives any such advice or assistance as is mentioned in section 2 of this Act, then if at any time (whether before or after the advice or assistance has begun to be given) it appears to the solicitor from whom it is sought or received (or, in the case of advice or assistance sought or received from counsel, it appears to the solicitor instructing counsel) that the cost of giving it is likely to exceed the limit applicable under the next following subsection—

(*a*) the solicitor shall determine to what extent that advice or assistance can be given without exceeding that limit, and

(*b*) shall not give it (or, as the case may be, instruct counsel to give it) so as to exceed that limit except with the approval of the appropriate authority.

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(2) The limit applicable under this subsection is £25 or such larger sum as may be prescribed.

(3) For the purposes of this section the cost of giving any such advice or assistance shall be taken to consist of such of the following as are applicable in the circumstances, that is to say—

(*a*) any expenses (including fees payable to counsel) which may be incurred by the solicitor or his firm in, or in connection with, the giving of the advice or assistance;

(*b*) any charges or fees (not being charges for disbursements) which, apart from the next following section, would be properly chargeable by the solicitor or his firm in respect of the advice or assistance; and

(*c*) in the case of advice or assistance given by a solicitor employed by the Law Society, any charges or fees (not being charges for disbursements) which, if the solicitor had been employed by a firm of solicitors, would, apart from the next following section, have been properly chargeable by that firm in respect of the advice or assistance;

and in paragraphs (*b*) and (*c*) of this subsection "charges for disbursements" means charges in respect of such expenses (including fees payable to counsel) as are mentioned in paragraph (*a*) of this subsection.

(4) In paragraph (*b*) of subsection (1) of this section the reference to the approval of the appropriate authority shall, in relation to the giving of advice or assistance in any particular case, be construed as a reference to approval given in accordance with the regulations by such committee or other person or body of persons as, in accordance with the provisions of the regulations and of a scheme, is the appropriate committee, person or body for determining whether approval for the purposes of that paragraph should be given in that case.

(5) In this section "scheme" means a scheme for the time being in force under section 8 of the Legal Aid Act as extended by section 6 of this Act, and "the regulations" means any regulations for the time being in force under section 12 of the Act of 1949 or section 15 of the Act of 1967 as so extended.

Contributions from persons receiving advice or assistance.

4.—(1) In respect of advice or assistance given to any person (in this Part of this Act referred to as a "client") in pursuance of this Part of this Act, the client shall not, except in accordance with the following provisions of this section, be required to pay any charge or fee.

(2) Where the client's disposable income exceeds £11 a week and he is not (directly or indirectly) in receipt of supplementary

benefit under the Ministry of Social Security Act 1966 or of family income supplement under the Family Income Supplements Act 1970, subsection (1) of this section shall not exempt him from liability to pay, in respect of the advice or assistance, charges or fees up to, but not in the aggregate exceeding, such amount as is applicable to him in accordance with the following provisions of this section. PART I 1966 c. 20. 1970 c. 55.

(3) The amount applicable to a client for the purposes of subsection (2) of this section, where his disposable income falls within a range specified in the first column of Schedule 1 to this Act, is the amount specified in relation to that range in the second column of that Schedule.

(4) Regulations may provide that, for any sum specified in subsection (2) of this section or in Schedule 1 to this Act, there shall be substituted such other sum as may be prescribed by the regulations.

Payment of charges or fees otherwise than through client's contribution.

5.—(1) This section applies to any charges or fees which, apart from section 4 of this Act, would be properly chargeable in respect of advice or assistance given to a client in pursuance of this Part of this Act, in so far as those charges or fees are not payable by the client in accordance with that section.

(2) In the following provisions of this section " the solicitor "—

(*a*) in relation to any such advice or assistance given by a solicitor employed by a firm of solicitors or by the Law Society, and so given in the course of that employment, or given by counsel on instructions given to him by a solicitor in the course of such employment, means that firm of solicitors or the Law Society, as the case may be, and

(*b*) in any other case, means the solicitor by whom any such advice or assistance is given or, where it is given by counsel, the solicitor on whose instructions counsel gives it.

(3) Except in so far as regulations otherwise provide, charges or fees to which this section applies shall constitute a first charge for the benefit of the solicitor—

(*a*) on any costs or expenses which (whether by virtue of a judgment or order of a court or an agreement or otherwise) are payable to the client by any other person in respect of the matter in connection with which the advice or assistance is given, and

(*b*) on any property (of whatever nature and wherever situated) which is recovered or preserved for the client in connection with that matter, including his rights

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under any compromise or settlement arrived at in connection with that matter to avoid or bring to an end any proceedings.

(4) In so far as the charge created by subsection (3) of this section in respect of any charges or fees to which this section applies is insufficient to meet them, the deficiency shall, subject to the following provisions of this section, be payable to the solicitor out of the legal aid fund.

(5) In the case of advice or assistance given by a solicitor employed by the Law Society in employment to which Part II of this Act applies, any amount which, apart from this subsection, would be payable out of the legal aid fund under subsection (4) of this section shall be reduced by an amount representing so much of—

(*a*) the remuneration of that solicitor payable by the Law Society, and

(*b*) any other expenses incurred by the Law Society in consequence of his being so employed,

as is properly attributable to time spent or work done by him in giving that advice or assistance.

(6) For the purpose of determining what charges or fees would be properly chargeable as mentioned in subsection (1) of this section, and whether there is a deficiency to be payable out of the legal aid fund in accordance with subsection (4) and, where applicable, subsection (5) of this section, charges or fees in respect of advice or assistance given to a client in pursuance of this Part of this Act shall, in such circumstances as may be prescribed, be taxed or assessed in such manner as may be prescribed.

(7) In the application of this section to Scotland, subsection (3) shall have effect as if, instead of providing that charges or fees to which this section applies shall constitute a first charge for the benefit of the solicitor on any such costs, expenses or property as are mentioned in that subsection, it provided that such charges or fees shall be paid to the solicitor, in priority to any other debts, out of any such costs, expenses or property; and subsection (4) shall be construed accordingly.

Application of provisions of Legal Aid Act.

6.—(1) The following provisions of the Legal Aid Act, that is to say—

(*a*) section 1(7), subsections (1) to (4) and subsection (8) of section 4, subsections (1) to (4) of section 6, section 8 and sections 12 to 16 of the Act of 1949, and

(*b*) section 1(8), subsections (1) to (4) and subsection (7) of section 4, subsections (1) to (3) of section 6, section 8 and sections 15 to 18 of the Act of 1967,

shall have effect in relation to advice and assistance sought or received in pursuance of this Part of this Act as they have effect in relation to legal aid; and accordingly any reference in those provisions to legal aid shall be construed as including a reference to any such advice or assistance.

(2) For the purposes of the application of those provisions in accordance with the preceding subsection, and for the purposes of the provisions of sections 9 and 11 of the Act of 1949 and of sections 9 and 12 of the Act of 1967,—

(*a*) references in those provisions to Part I of the Act of 1949, or to the Act of 1967, shall be construed as including references to this Part of this Act, and

(*b*) any reference in those provisions (whether express or implied) to regulations made under Part I of the Act of 1949, or made under the Act of 1967, shall be construed as including a reference to regulations made under any of those provisions as extended by the preceding subsection.

(3) The powers conferred by section 4(4) and section 12 of the Act of 1949 and by section 4(4) and section 15 of the Act of 1967 (which confer powers to make regulations) as applied by subsection (1) of this section shall be construed as including power to make different regulations in relation to advice and assistance sought or received in pursuance of this Part of this Act and in relation to legal aid respectively; and those powers shall (without prejudice to their generality) be taken to include power to make provision as to the cases in which a person is for the purposes of this Part of this Act to be taken to be (directly or indirectly) in receipt of supplementary benefit under the Ministry of Social Security Act 1966 or of family income supplement under the Family Income Supplements Act 1970, and also to include power to modify the preceding provisions of this Part of this Act in any manner for the purposes of the application of those provisions to advice or assistance— 1966 c. 20. 1970 c. 55.

(*a*) sought or received by a person who is under such age (not exceeding the age of eighteen years) as may be specified in the regulations, or

(*b*) sought or received on behalf of any such person by his parent or guardian or other person under whose care he is, or by a person acting for the purposes of any proceedings in England or Wales as his next friend or guardian or acting for the purposes of any proceedings in Scotland as his curator or tutor.

PART II

EMPLOYMENT OF SOLICITORS BY LAW SOCIETY

Employment to which Part II applies.

7.—(1) This Part of this Act applies to the employment of solicitors by the Law Society for any one or more of the following purposes, that is to say—

(*a*) giving advice and assistance to which section 1 of this Act applies;

(*b*) acting for persons receiving legal aid, either generally or in cases of any such description as may be prescribed;

(*c*) performing any such services as are mentioned in the next following subsection.

(2) The services referred to in subsection (1)(*c*) of this section are services performed by a solicitor for or in connection with any such local organisation as is mentioned in subsection (3) of this section and consisting—

(*a*) of furnishing legal assistance to the organisation in its function of giving advice and guidance to applicants;

(*b*) of promoting contacts between the organisation and solicitors practising in the locality for which the organisation is established, with a view to enabling applicants to obtain the professional services of those solicitors in cases where those services are required;

(*c*) of giving oral advice to applicants, instead of referring them to other solicitors, in cases which can be readily disposed of by such advice.

(3) The local organisations referred to in subsection (2) of this section are organisations concerned in the giving of advice or guidance (whether generally or with respect to any particular classes of matters) to persons residing in the localities for which the organisations are established; and in that subsection "applicants", in relation to any such organisation, means persons who apply to the organisation for advice or guidance or are referred to it with a view to their receiving advice or guidance from the organisation.

(4) In this section "organisation" includes a branch or section of an organisation; and, in relation to such a branch or section, any reference to the locality for which it is established shall be construed as a reference to the locality for which the branch or section is established.

Arrangements for employment to which Part II applies, and pension rights of persons employed.

8.—(1) The matters which may be included in a scheme under section 8 of the Legal Aid Act (functions of Law Society) shall, without prejudice to the generality of that section, include provisions with respect to the employment of solicitors in employment to which this Part of this Act applies and, in particular, with respect to—

(*a*) the circumstances in which solicitors may be so employed, and

(*b*) the provision of accommodation, staff and other facilities for solicitors so employed.

(2) In the following provisions of this Part of this Act "scheme" means any scheme for the time being in force under section 8 of the Legal Aid Act in so far as it includes any such provisions as are mentioned in the preceding subsection.

(3) Section 2(2)(*b*) of the Act of 1949 and section 2(6)(*b*) of the Act of 1967 (which preclude a solicitor from taking any payment in respect of legal aid except as therein mentioned) shall not apply to the remuneration of a solicitor by the Law Society in respect of any employment to which this Part of this Act applies.

(4) In section 11 of the Act of 1949 and in section 12 of the Act of 1967 (which relate respectively to pension rights of employees) any reference to employment by the Law Society for the purposes of their functions under Part I of the Act of 1949, or under the Act of 1967, as the case may be, shall include references—

(*a*) to the employment of any person in accordance with a scheme in employment to which this Part of this Act applies, and

(*b*) to the employment of any person by the Law Society in accordance with a scheme for purposes connected with employment to which this Part of this Act applies.

Payments into and out of legal aid fund.

9.—(1) The receipts and expenses which, in accordance with section 9(2) of the Legal Aid Act (which requires all receipts and expenses of the Law Society attributable to Part I of the Act of 1949, or to the Act of 1967, to be paid into and out of the legal aid fund), are to be paid into and out of the legal aid fund shall include all receipts and expenses of the Law Society which are attributable to the employment of solicitors in accordance with a scheme in employment to which this Part of this Act applies, and to work performed, and other things done or omitted to be done, in the course of such employment.

(2) Notwithstanding anything in section 6(5) of the Act of 1949 or in section 6(4) of the Act of 1967, a solicitor who, in the course of employment to which this Part of this Act applies, acts for a person receiving legal aid shall not be paid for so acting out of the legal aid fund, otherwise than by way of remuneration payable by the Law Society and forming part of the expenses referred to in the preceding subsection.

General provisions relating to employment to which Part II applies.

10.—(1) In relation to any solicitor who in accordance with a scheme is employed by the Law Society in employment to which this Part of this Act applies, and in relation to any work performed, or other things done or omitted to be done, by any such solicitor in the course of that employment,—

(*a*) the enactments relating to solicitors, and

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(*b*) any rule of law which relates to solicitors, or is applicable to things done, or omitted to be done, by solicitors in their capacity as solicitors,

shall have effect as if the Law Society were a firm of solicitors.

(2) The preceding subsection shall not be construed as precluding two or more solicitors employed by the Law Society in employment to which this Part of this Act applies from acting for different parties having opposing or otherwise different interests in relation to the same proceedings or other matter.

PART III

SUPPLEMENTARY PROVISIONS

Regulations.

11.—(1) In this Act "prescribed" means prescribed by regulations made under section 12 of the Act of 1949 as extended by section 6 of this Act, or made under section 15 of the Act of 1967 as so extended.

(2) Any regulations made for the purposes of section 1 or section 3(2) of this Act, or containing any provision made for any of those purposes (not being a provision to the same effect as a provision revoked by the regulations) shall not come into force unless or until approved by a resolution of each House of Parliament, and accordingly a statutory instrument by which any such regulations are made shall not be subject to annulment as mentioned in section 12(5) of the Act of 1949 or in section 15(7) of the Act of 1967.

Financial provisions.

12. There shall be defrayed out of moneys provided by Parliament any increase attributable to this Act in the sums payable out of moneys so provided under the Act of 1949 or the Act of 1967.

Amendments, repeals and transitional provisions.

13.—(1) Subject to the next following subsection—

(*a*) the enactments specified in Schedule 2 to this Act shall have effect subject to the amendments specified in that Schedule (being minor amendments or amendments consequential upon the preceding provisions of this Act), and

(*b*) the enactments specified in Schedule 3 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) In so far as anything done under or for the purposes of an enactment repealed by this Act could have been done under or for the purposes of any provision of this Act, it shall not be invalidated by the repeal of that enactment, but shall have effect as if done under or for the purposes of that provision of this Act.

PART III

Short title, construction, citation, commencement and extent. 1949 c. 51. 1967 c. 43.

14.—(1) This Act may be cited as the Legal Advice and Assistance Act 1972.

(2) In this Act " the Act of 1949 " means the Legal Aid and Advice Act 1949 as amended by or under any other Act and " the Act of 1967 " means the Legal Aid (Scotland) Act 1967 as so amended, and " the Legal Aid Act " in relation to England and Wales means the Act of 1949 and in relation to Scotland means the Act of 1967 ; and—

(*a*) except in its application to Scotland, this Act shall be construed as one with Parts I and III of the Act of 1949, and

(*b*) in its application to Scotland, this Act shall be construed as one with the Act of 1967.

(3) This Act may be cited together with the Legal Aid Acts 1949 to 1964 as the Legal Aid and Advice Acts 1949 to 1972, and may be cited together with the Act of 1967 as the Legal Aid and Advice (Scotland) Acts 1967 and 1972.

(4) This Act shall come into operation—

(*a*) in relation to England and Wales, on such day as the Lord Chancellor may by order made by statutory instrument appoint, and

(*b*) in relation to Scotland, on such day as the Secretary of State may by order made by statutory instrument appoint,

and different days may be appointed under paragraph (*a*) or paragraph (*b*) of this subsection for, or for different purposes of, any one or more of the provisions of this Act (including, in the case of section 13 of this Act, the amendment or repeal of different enactments specified in Schedule 2 or Schedule 3 to this Act or of different provisions of any enactment so specified).

(5) Except in so far as the operation of section 26 of the Act of 1949 (extension of powers of Northern Ireland Parliament) is extended by virtue of subsection (2) of this section, this Act shall not form part of the law of Northern Ireland.

SCHEDULES

Section 4.

SCHEDULE 1

CLIENTS' CONTRIBUTIONS

Disposable income range		*Maximum contribution*
1. Exceeding £11 but not exceeding £12 a week	...	£1
2. Exceeding £12 but not exceeding £13 a week	...	£3
3. Exceeding £13 but not exceeding £14 a week	...	£5
4. Exceeding £14 but not exceeding £15 a week	...	£7
5. Exceeding £15 but not exceeding £18 a week	...	£10
6. Exceeding £18 but not exceeding £20 a week	...	£12

Section 13.

SCHEDULE 2

ENACTMENTS AMENDED

Act	*Amendment*
The Legal Aid and Advice Act 1949 (12 & 13 Geo. 6. c. 51).	In section 3, in subsection (7), after the word " counsel " there shall be inserted the words " (or, in a case where the solicitor acting for a person is a solicitor employed by the Law Society in accordance with Part II of the Legal Advice and Assistance Act 1972, sums which would have been so payable if the solicitor had not been so employed) ". In section 6, in subsection (5), after the word " Act " there shall be inserted the words " and to section 9(2) of the Legal Advice and Assistance Act 1972 "; and in subsection (9), after the word " section ", in the first place where it occurs, there shall be inserted the words " or in section 9(2) of the Legal Advice and Assistance Act 1972 ", and in paragraph (*a*), after the word " section " there shall be inserted the words " and section 9(2) of that Act ". In section 8, in subsection (1), for the words " and legal advice are " there shall be substituted the word " is ". In section 9, in subsection (2), after the word " Act " there shall be inserted the words " or attributable to their functions under Part II of the Legal Advice and Assistance Act 1972 "; in subsections (3)(*b*) and (4), after the word " Act " there shall be inserted the words " or under Part II of the Legal Advice and Assistance Act 1972 "; and after subsection (9) there shall be added the following subsection:— " (10) In this section any reference to the functions of the Law Society under

Act	*Amendment*	Sch. 2
The Legal Aid and Advice Act 1949 —*cont.*	Part II of the Legal Advice and Assistance Act 1972 is a reference to the employment of solicitors by the Law Society in accordance with that Part of that Act and to work performed, and other things done or omitted to be done, in the course of such employment." In section 17, in the definition of " person " in subsection (1), for the words " or advice " there shall be substituted the words " advice or assistance ".	
The Solicitors Act 1957 (5 & 6 Eliz. 2. c. 27).	In section 29, in subsection (4), after the words " in a county office " there shall be inserted the words " or acting in the course of employment to which Part II of the Legal Advice and Assistance Act 1972 applies ". In section 30, in subsection (7), after the words " last foregoing section " there shall be inserted the words " or in employment to which Part II of the Legal Advice and Assistance Act 1972 applies ", and, in paragraph (*b*), after the words " public officer " there shall be inserted the words " or in the course of employment to which Part II of that Act applies ".	
The Legal Aid and Solicitors (Scotland) Act 1949 (12 & 13 Geo. 6. c. 63).	In section 20, in subsection (2)(*a*), after the words " direction of such solicitor " there shall be inserted the words " or who is in employment to which Part II of the Legal Advice and Assistance Act 1972 applies ".	
The Legal Aid Act 1960 (8 & 9 Eliz. 2. c. 28).	In section 4, after the words " Legal Aid Act " there shall be inserted the words " or of the Legal Advice and Assistance Act 1972 " and for the words " that Act " there shall be substituted the words " those Acts ".	
The Legal Aid (Scotland) Act 1967 (1967 c. 43).	In section 3, in subsection (7), after the word " solicitor " there shall be inserted the words " (or, in a case where the solicitor acting for a person is a solicitor employed by the Law Society in accordance with Part II of the Legal Advice and Assistance Act 1972, sums which would have been so payable if the solicitor had not been so employed) ". In section 6, in subsection (4), after the word "Act " there shall be inserted the words " and to section 9(2) of the Legal Advice and Assistance Act 1972 ", and for the words " shall be paid to the solicitor instructing him " there shall be substituted	

SCH. 2	*Act*	*Amendment*
	The Legal Aid (Scotland) Act 1967— *cont.*	the words " shall also be paid "; and in subsection (9), after the word " section ", in the first place where it occurs, there shall be inserted the words " and section 9(2) of the Legal Advice and Assistance Act 1972 ".
		In section 8, in subsection (1), for the words " and legal advice are " there shall be substituted the word " is ".
		In section 9, in subsection (2), after the word "Act " there shall be inserted the words " or attributable to their functions under Part II of the Legal Advice and Assistance Act 1972 "; in subsections (3)(*b*) and (4), after the word "Act " there shall be inserted the words " or under Part II of the Legal Advice and Assistance Act 1972 "; and after subsection (8) there shall be added the following subsection:—
		" (9) In this section any reference to the functions of the Law Society under Part II of the Legal Advice and Assistance Act 1972 is a reference to the employment of solicitors by the Law Society in accordance with that Part of that Act and to work performed, and other things done or omitted to be done, in the course of such employment."
		In section 10, after the word " Act " in the first place where it occurs there shall be inserted the words " or of the Legal Advice and Assistance Act 1972 ", and after that word in the second place where it occurs there shall be inserted the words " and the said Act of 1972 ".
		In section 20, in the definition of " person " in subsection (1), for the words " or advice " there shall be substituted the words " advice or assistance ".

Section 13.

SCHEDULE 3

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
12 & 13 Geo. 6. c. 51.	The Legal Aid and Advice Act 1949.	Section 5. In section 6, subsection (7). Section 7. In section 12, in subsection (2)(*c*) and (*d*) and in subsection (3)(*a*), the words "or advice " in each place where they occur.

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Chapter	Short Title	Extent of Repeal
12 & 13 Geo. 6. c. 51—*cont.*	The Legal Aid and Advice Act 1949—*cont.*	In section 14, the words "or advice" in each place where they occur. In section 15, the words "or advice" in each place where they occur. In section 16, subsection (7). In section 17, in subsection (1), the definitions of "legal advice" and of "matrimonial cause". In Schedule 3, the provisos to paragraphs 1(1) and 2(1).
8 & 9 Eliz. 2. c. 28.	The Legal Aid Act 1960.	In section 1, in subsection (2), the words from "and in subsection (5)" onwards.
1967 c. 43.	The Legal Aid (Scotland) Act 1967.	Section 5. Section 7. In section 15, in subsections (1), (2) and (3)(*a*), the words "or advice" in each place where they occur. In section 17, subsection (6). In section 18, the words "or advice" in each place where they occur. In section 20, in subsection (1), the definitions of "legal advice" and of "member of the forces". In Schedule 2, paragraph 2(6).