(3) The reference in this section to expenses of the Minister of Power includes a reference to expenses incurred by any other Government department in connection with the Ministry of Power, and to such sums as the Treasury may determine in respect of the use for the purposes of that Ministry of any premises belonging to the Crown.

Short title and repeal. 2 & 3 Eliz. 2. c. 52. 5 & 6 Eliz. 2. c. 48.

3.—(1) This Act may be cited as the Gas Act, 1960.

(2) The Gas and Electricity (Borrowing Powers) Act, 1954, and so much of the Fourth Schedule to the Electricity Act, 1957, as amends that Act, are hereby repealed.

CHAPTER 28

An Act to relax the financial conditions for legal aid under Part I of the Legal Aid and Advice Act, 1949, and under the Legal Aid (Scotland) Act, 1949, by altering the limits on disposable income and disposable capital, and the maximum amount of the contribution to the legal aid fund, to make further provision for the remuneration of counsel and solicitors in connection with such legal aid or with applications for it, and to explain references in those Acts to payment and the like. [13th April, 1960]

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:—

Financial conditions for legal aid.

1.—(1) In subsection (1) of section two of the Legal Aid Act (in the words "legal aid shall be available for any person whose disposable income does not exceed four hundred and twenty pounds a year") for the words "four hundred and twenty pounds a year" there shall be substituted the words "seven hundred pounds a year or such larger yearly figure as may be prescribed", and in the proviso (under which a person with a disposable capital of more than five hundred pounds may be refused legal aid) after the words "five hundred pounds" there shall be inserted the words "or such larger figure as may be prescribed".

(2) In subsection (1) of section three of the Legal Aid Act (which imposes a maximum on a person's contribution to the legal aid

fund by reference to the amounts of his disposable income and disposable capital) there shall be substituted—

(*a*) for the words " half the amount (if any) by which his disposable income exceeds one hundred and fifty-six pounds a year " the words " one third of the amount (if any) by which his disposable income exceeds two hundred and fifty pounds a year or such larger yearly figure as may be prescribed "; and

(*b*) for the words " the amount (if any) by which his disposable capital exceeds seventy-five pounds " the words " the amount (if any) by which his disposable capital exceeds one hundred and twenty-five pounds or such larger figure as may be prescribed ";

and in subsection (5) of section five (which restricts the right of persons with disposable income or disposable capital exceeding specified figures to receive legal aid in matters not involving litigation) for the words " for any person whose disposable income exceeds one hundred and fifty-six pounds a year or whose disposable capital exceeds seventy-five pounds " there shall be substituted the words " for any person whose disposable income or disposable capital is enough to permit under subsection (1) of section three of this Act of his making a contribution to the legal aid fund in respect of legal aid to which that subsection relates ".

(3) Regulations under the Legal Aid Act, if they include any provision made by virtue of subsection (1) of section two or subsection (1) of section three of the Legal Aid Act as amended by this section (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 resolution of each House of Parliament, and accordingly shall not be subject to annulment in pursuance of a resolution as provided for other regulations by subsection (5) of section twelve of that Act.

(4) Where the period of computation used in determining the maximum amount of a person's contribution in respect of income under subsection (1) of section three of the Legal Aid Act begins before the date of a change made by or by virtue of this section in the maximum amount of the contribution under that subsection, then—

(*a*) if the period of computation ends two months or more after the time the change takes effect, his maximum contribution in respect of income shall be arrived at by apportioning it between the parts of that period falling before and after that time according to the

number of months in each part (but so that any fraction of a month in the second part shall be treated as a complete month), and by giving effect to the change in determining the amount of the contribution in respect of the second part; but

(*b*) otherwise the maximum amount of his contribution shall be unaffected by the change.

Remuneration for persons giving legal aid.

2. In the Third Schedule to the Legal Aid Act (which regulates the remuneration of persons giving legal aid under Part I of the Act, and in paragraphs 1 and 2 limits it in certain cases to eighty-five per cent. of the amount allowed on taxation) after the words " eighty-five per cent.", wherever occurring in either of those paragraphs, there shall be inserted the words " or such larger percentage as may be prescribed ".

Remuneration for persons acting for applicants for legal aid in Scotland.

3.—(1) Where, on an application for legal aid under section one of the Legal Aid Act in connection with any proceedings, the appropriate authority decide that the applicant is (subject to the issue and acceptance of a legal aid certificate) entitled to legal aid for the purpose of those proceedings, any solicitor who has acted for the applicant in preparing and submitting the application shall, for the purposes of subsection (4) of section six of the said Act (which subsection relates to the payment out of the legal aid fund of solicitors and counsel acting for persons receiving legal aid) be deemed, when so acting, to have been acting for a person receiving legal aid, notwithstanding that a legal aid certificate is not issued and accepted.

(2) No payment shall be made out of the legal aid fund by virtue of the foregoing subsection in respect of any act in respect of which payment out of that fund has been, or could be, made by virtue of any provision of the Legal Aid Act other than the said subsection (4).

(3) This section shall not have effect in relation to any application for legal aid made before the commencement of this Act.

(4) In this section—

" the appropriate authority ", in relation to any application for legal aid, means any committee or other body having jurisdiction to entertain the application (whether directly or on appeal) under any scheme having effect by virtue of section eight of the Legal Aid Act;

" legal aid certificate " means a certificate required under any such scheme to be obtained as a condition of entitlement to legal aid.

(5) This section shall extend to Scotland only.

Explanation of references to payments.

4. For the removal of doubts it is hereby declared that a provision of the Legal Aid Act requiring anything to be paid into or out of the legal aid fund is not to be taken as requiring the making of an actual payment, so as to prevent the obligation to make it being satisfied in whole or in part by an allowance in account or in any other way; and in that Act references to payments, to sums paid or payable or to receipts and similar references (whether in connection with that fund or not) shall be read accordingly

Short title, construction and citation. 12, 13 & 14 Geo. 6. c. 51. 12, 13 & 14 Geo. 6. c. 63.

5.—(1) This Act may be cited as the Legal Aid Act, 1960.

(2) In this Act " the Legal Aid Act " means as respects England and Wales the Legal Aid and Advice Act, 1949, and as respects Scotland the Legal Aid (Scotland) Act, 1949; and this Act shall be construed as one with the Legal Aid Act.

(3) This Act and the Legal Aid and Advice Act, 1949, may be cited together as the Legal Aid and Advice Acts, 1949 and 1960.

(4) This Act and the Legal Aid (Scotland) Act, 1949, may be cited together as the Legal Aid (Scotland) Acts, 1949 and 1960

CHAPTER 29

An Act to enable a person to marry certain kin of a former spouse. [13th April, 1960]

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:—

Certain marriages not to be void.

1.—(1) No marriage hereafter contracted (whether in or out of Great Britain) between a man and a woman who is the sister, aunt or niece of a former wife of his (whether living or not), or was formerly the wife of his brother, uncle or nephew (whether living or not), shall by reason of that relationship be void or voidable under any enactment or rule of law applying in Great Britain as a marriage between persons within the prohibited degrees of affinity.

(2) In the foregoing subsection words of kinship apply equally to kin of the whole and of the half blood.

(3) This section does not validate a marriage, if either party to it is at the time of the marriage domiciled in a country outside Great Britain, and under the law of that country there cannot be a valid marriage between the parties.