STATUTORY INSTRUMENTS

1963 No. 432 (C. 4)

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid and Advice Act 1949 (Commencement No. 11) Order 1963

Made - - - - 4th March 1963

Whereas it is provided by section 24 (1) of the Legal Aid and Advice Act 1949(a), that Part II of the said Act shall come into force on such day as the Secretary of State may by statutory instrument appoint, and that different days may be appointed for different purposes:

Now, I, the Right Honourable Henry Brooke, M.P., one of Her Majesty's Principal Secretaries of State, in pursuance of the power conferred on me by the said section 24, hereby make the following Order:—

1. The following provisions of Part II of the Legal Aid and Advice Act 1949 shall come into operation on 1st April 1963, that is to say, section 18 (2), (4), (5) and (6).

2. This Order may be cited as the Legal Aid and Advice Act 1949 (Commencement No. 11) Order 1963.

Given under my hand at Whitehall on 4th March 1963.

Henry Brooke.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order brings into operation on 1st April 1963 section 18 (2), (4), (5) and (6) of the Legal Aid and Advice Act 1949. Subsection (2) repeals so much of section 2 of the Poor Prisoners' Defence Act 1930 and of the Summary Jurisdiction (Appeals) Act 1933 as limits the matters to be taken into account in determining whether it is desirable in the interests of justice that a person should have free legal aid under those enactments. Subsections (4), (5) and (6) apply, with appropriate modifications, the Poor Prisoners' Defence Act 1930 in the case of certain persons committed under the Vagrancy Act 1824 and persons committed for sentence under any other enactment, whenever passed, and subsection (5) also secures that the provisions of the Poor Prisoners' Defence Act 1930 shall apply generally in relation to proceedings on the question of sentence as well as on the issue of guilt.

(a) 12, 13 & 14 Geo. 6. c. 51.