STATUTORY INSTRUMENTS

1962 No. 147

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid (Assessment of Resources) (Amendment) Regulations, 1962

Made - - - -	*24th January*, 1962
Laid before Parliament	*31st January*, 1962
Coming into Operation	*1st March*, 1962

I, David, Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the powers conferred upon me by sections 4 and 12 of the Legal Aid and Advice Act, 1949(a), and with the concurrence of the Treasury, hereby make the following Regulations :—

1.—(1) These Regulations may be cited as the Legal Aid (Assessment of Resources) (Amendment) Regulations, 1962, and shall come into operation on the first day of March, 1962.

(2) In these Regulations a regulation referred to by number means the regulation so numbered in the Legal Aid (Assessment of Resources) Regulations, 1960(b).

2. For Regulation 9 there shall be substituted the following Regulation :—

"*Determination on change of circumstances*

9. Where it appears to a committee that the circumstances upon which the Board have determined the disposable income or disposable capital of the person concerned have altered so that—

(*a*) his disposable income may have increased or decreased by an amount greater than twenty-six pounds ; or

(*b*) his disposable capital may have increased by an amount greater than seventy-five pounds ;

the Board shall, if so required by the committee, redetermine that person's disposable income, disposable capital and maximum contribution."

3. The Interpretation Act, 1889(c), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Dated this twenty-fourth day of January, 1962.

Kilmuir, C.

We concur.

John Hill,
Michael Hughes-Young,
Lords Commissioners of Her Majesty's Treasury.

(a) 12, 13 & 14 Geo. 6. c. 51. (b) S.I. 1960/1471 (1960 II, p. 1749). (c) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

These Regulations amend the Legal Aid (Assessment of Resources) Regulations, 1960, so as to provide for the redetermination of an assisted person's disposable income and capital and maximum contribution when there has been an appreciable variation in his resources. The existing Regulation, which refers to an amendment of the assisted person's certificate, is not appropriate in the case of proceedings in courts of summary jurisdiction, where the certificate is not amended.