STATUTORY INSTRUMENTS

# 1969 No. 922 (L.12)

# LEGAL AID AND ADVICE, ENGLAND

## The Legal Aid (Assessment of Resources) (Amendment) Regulations 1969

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| *Made* - - - | 10*th June*, 1969 |
| *Laid before Parliament* | 14*th July*, 1969 |
| *Coming into Operation* | 1*st August*, 1969 |

The Lord Chancellor, in exercise of the powers conferred on him by sections 4 and 12 of the Legal Aid and Advice Act 1949(a), and with the concurrence of the Treasury, hereby makes the following Regulations:—

**1.**—(1) These Regulations may be cited as the Legal Aid (Assessment of Resources) (Amendment) Regulations 1969 and shall come into operation on 1st August, 1969.

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

(3) In these Regulations, a regulation referred to by number means the regulation so numbered in the Legal Aid (Assessment of Resources) Regulations 1960(c) as amended(d).

**2.** Regulation 1(2) (which relates to the interpretation of expressions used in the Regulations) shall be further amended in the definition of "authorised summary proceedings" as follows:—

(*a*) in sub-paragraph (iv) by deleting the word "and" where it occurs after the words "of the Education Act 1944" and by the addition of the following words at the end:—

"section 22 of the Maintenance Orders Act 1950(e), section 4 of the Maintenance Orders Act 1958(f), sections 2 and 4 of the Children Act 1948(g), section 43 of the National Assistance Act 1948(h) and section 23 of the Ministry of Social Security Act 1966(i), and"

(*b*) by adding the following sub-paragraph (v):—

"(v) Proceedings in a magistrates' court in which a parent or guardian opposes the making of an adoption order and the court is asked to dispense with his consent under section 5 of the Adoption Act 1958(j)".

Dated 21st May, 1969.

We concur,

*Gardiner, C.*

*E. Alan Fitch,*
*J. McCann,*
Two of the Lords Commissioners of Her Majesty's Treasury.

Dated 10th June, 1969.

(a) 1949 c. 51. (b) 1889 c. 63. (c) S.I.1960/1471 (1960 II, p. 1749).
(d) The relevant amending instruments are S.I.1961/555, 1964/1907 (1961 I, p. 1220; 1964 III, p. 4239). (e) 1950 c. 37 (f) 1958 c. 39. (g) 1948 c. 43.
(h) 1948 c. 29. (i) 1966 c. 20. (j) 7 & 8 Eliz. 2. c. 5.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations provide for the determination of the resources of a person who applies for legal aid in respect of proceedings to vary a maintenance order registered in a magistrates' court, proceedings relating to a resolution by a local authority assuming parental rights over a child, opposed adoption proceedings in a magistrates' court or for proceedings by the Supplementary Benefits Commission or a local authority in respect of his refusal to maintain his dependants.