1969 No. 921 (L. 11)

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid (Extension of Proceedings) Regulations 1969

Made - - - -	21*st May* 1969
Laid before Parliament	16*th June* 1969
Coming into Operation	1*st August* 1969

The Lord Chancellor, in exercise of the powers conferred on him by sections 1 and 12 of the Legal Aid and Advice Act 1949(**a**), hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Legal Aid (Extension of Proceedings) 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.

2. Notwithstanding anything in paragraph 1 of Part II of the First Schedule to the Legal Aid and Advice Act 1949, the making of a counterclaim for defamation in proceedings for which legal aid may be given shall not of itself affect any right of the defendant to the counterclaim to legal aid in the proceedings and legal aid may be granted to enable him to defend such counterclaim.

3. The proceedings in which legal aid may be given shall include the proceedings contained in the Schedule to these Regulations.

Dated 21st May 1969.

Gardiner, C.

SCHEDULE

PROCEEDINGS IN CONNECTION WITH WHICH LEGAL AID MAY BE GIVEN

1. Proceedings in a magistrates' court or a court of quarter sessions under sections 62, 63, 65, 66, 84, 85(1) and 102(1)(*a*) and (*b*) of the Children and Young Persons Act 1933(**c**), section 40 of the Education Act 1944(**d**), and section 33 of the Children and Young Persons Act 1963(**e**).

2. Proceedings in a magistrates' court under sections 2 and 4 of the Children Act 1948(**f**), section 43 of the National Assistance Act 1948(**g**), section 22 of the Maintenance Orders Act 1950(**h**), section 4 of the Maintenance Orders Act 1958(**i**), section 3 of the Children and Young Persons Act 1963, and section 23 of the Ministry of Social Security Act 1966(**j**).

(**a**) 1949 c. 51. (**b**) 1889 c. 63. (**c**) 1933 c. 12. (**d**) 1944 c. 31. (**e**) 1963 c. 37.
(**f**) 1948 c. 43. (**g**) 1948 c. 29. (**h**) 1950 c. 37. (**i**) 1958 c. 39. (**j**) 1966 c. 20.

3. 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(a).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make legal aid available for 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 and for proceedings by the Supplementary Benefits Commission or a local authority in respect of a person's failure to maintain or accommodate dependants. They also make legal aid available in certain proceedings which are partly in respect of defamation, and re-enact those provisions of the Legal Aid (General) Regulations 1962 (S.I. 1962/148 as amended by the Legal Aid (General) (Amendment) Regulations 1964, S.I. 1964/1893) relating to the extension of legal aid to cases in which a child or young person is brought before a court as being in need of care, protection or control.

(a) 7 & 8 Eliz. 2. c. 5.