STATUTORY INSTRUMENTS

1973 No. 1782

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid (Financial Conditions) Regulations 1973

Made - - -	17*th October* 1973
Laid before Parliament	18*th October* 1973
Coming into Operation	1*st January* 1974

The Lord Chancellor, in exercise of the powers conferred on him by sections 2, 3 and 12 of the Legal Aid and Advice Act 1949(a), as amended by section 1 of the Legal Aid Act 1960(b), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Legal Aid (Financial Conditions) Regulations 1973 and shall come into operation on 1st January 1974.

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

(3) Any reference in these Regulations to any enactment shall be construed as a reference to that enactment as amended by any other enactment.

2. Subject to the proviso to section 2(1) of the Legal Aid and Advice Act 1949, legal aid shall be available for any person whose disposable income does not exceed £1,175 a year, instead of the amount prescribed by that subsection as amended by the Legal Aid (Financial Conditions) Regulations 1970(d).

3. A person's contribution to the Legal Aid Fund in respect of any proceedings may include a contribution in respect of income not greater than one-third of the amount (if any) by which his disposable income exceeds £375, instead of the amount prescribed by section 3(1) of the Legal Aid and Advice Act 1949, as amended by the Legal Aid (Financial Conditions) Regulations 1970.

4. Where the period of computation used in determining the maximum amount of a person's contribution in respect of income under section 3(1) of

(a) 1949 c. 51. (b) 1960 c. 28. (c) 1889 c. 63.
(d) S.I. 1970/1707 (1970 III, p. 5588).

the Legal Aid and Advice Act 1949, as amended by the Legal Aid (Financial Conditions) Regulations 1970, begins before the coming into operation of these Regulations then:—

(*a*) if the period of computation ends two months or more after the date on which these Regulations come into operation, 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 date 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.

Dated 17th October 1973.

Hailsham of St. Marylebone, C.

EXPLANATORY NOTE

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

The Regulations increase the financial limits of legal aid. In future legal aid will be available to those with incomes (after certain deductions) of not more than £1,175 a year (instead of £950) and without payment of a contribution from those with incomes (after deductions) of £375 a year (instead of £300).

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