# 1960 No. 1472

# The Legal Aid (General) (Amendment No. 2) Regulations, 1960

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| *Made* - - - - | 16*th August*, 1960 |
| *Laid before Parliament* | 19*th August*, 1960 |
| *Coming into Operation* | 22*nd August*, 1960 |

I, David, Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the powers conferred upon me by sections 4 (2), 5 (5) and 12 of the Legal Aid and Advice Act, 1949(**a**), as amended(**b**), and with the concurrence of the Treasury, hereby make the following Regulations:—

**1.**—(1) These Regulations may be cited as the Legal Aid (General) (Amendment No. 2) Regulations, 1960, and shall come into operation on the twenty-second day of August, 1960.

(2) In these Regulations a regulation referred to by number means the regulation so numbered in the Legal Aid (General) Regulations, 1960(**c**), as amended(**d**).

**2.** In paragraph (6) of Regulation 4 (which relates to applications on behalf of infants and persons of unsound mind) for the words "any contributor" (where they first occur) there shall be substituted the words "any person" and the words "but shall not include the means of the person by whom he has applied unless that person is a contributor" shall be omitted.

**3.** The Schedule to the Legal Aid (General) Regulations, 1960, shall be further amended as follows:—

(1) In paragraph 6 there shall be substituted for the expression "£390" the expression "£325" (wherever it occurs).

(2) in sub-paragraph (*b*) of paragraph 8 for the words "wholly maintained" there shall be substituted the words "wholly or substantially maintained" and after that sub-paragraph there shall be inserted the following sub-paragraph:—

"(*c*) Where the disposable income of the applicant is less than £375, a deduction shall be made of a sum equal to the difference between the disposable income and £375."

(3) After sub-paragraph (*b*) (iii) of paragraph 9 there shall be inserted the following:—

"(iv) £65 in respect of the cost of rent and any other matters for which the person concerned must or reasonably may provide, regardless of their actual cost."

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(**a**) 12, 13 & 14 Geo. 6. c. 51. (**b**) 8 & 9 Eliz. 2. c. 28.
(**c**) S.I. 1960/408 (Pt. II, p. 1757, of this vol.). (**d**) S.I. 1960/730 (Pt. II, p. 1795, of this vol.).

(4) In paragraph 10 the words " as computed in accordance with the foregoing provisions of this Schedule " shall be omitted and there shall be substituted for the expression " £318 " the expression " £253 ", and for the expression " £315 " there shall be substituted the expression " £250 ".

Dated the fourth day of August, 1960.

*Kilmuir*, C.

We, the undersigned, two of the Lords Commissioners of Her Majesty's Treasury, do hereby concur in Regulation 3 of the above Regulations.

Dated the sixteenth day of August, 1960.

*Michael Hughes-Young.*
*J. D. Gibson-Watt.*

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## EXPLANATORY NOTE

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

These Regulations amend the Legal Aid (General) Regulations, 1960, so as to ensure that the qualifications for legal aid for taking steps to assert or dispute claims under section 5 of the Legal Aid and Advice Act, 1949, are, so far as practicable, the same as the qualifications for legal aid otherwise available under the Act.