The Legal Aid (General) Regulations, 1950

1950 No. 1359

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SCHEDULE—Fees to be allowed to Counsel under paragraph (5) of Regulation 18.

In pursuance of the powers conferred upon me by Part I of the Legal Aid and Advice Act, 1949(a), and, with regard to Regulation 20, with the concurrence of the Treasury, I, William Allen, Viscount Jowitt, Lord High Chancellor of Great Britain, hereby make the following regulations :—

Title, Commencement and Interpretation

1.—(1) These Regulations may be cited as " The Legal Aid (General) Regulations, 1950 " and shall come into force on the second day of October, 1950.

(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 unless the context otherwise requires the following expressions have the meanings hereinafter respectively assigned to them :—

" the Act " means the Legal Aid and Advice Act, 1949 ;

" Area Committee " means an Area Committee appointed by the Council of The Law Society under the provisions of a scheme ;

(a) 12, 13 & 14 Geo. 6. c. 51. (b) 52 & 53 Vict. c. 63.

"appropriate Area Committee" means in relation to a certificate, the Area Committee in whose area application for the certificate has been made, or the certificate has been issued;

"assisted person" means a person in respect of whom a certificate is in force;

"the Board" means the National Assistance Board;

"certificate" means a certificate issued in accordance with these Regulations entitling a person to legal aid under Part I of the Act and includes an emergency certificate issued under the provisions of Regulation 10;

"the Fund" means the legal aid fund;

"Local Committee" means a Local Committee appointed by an Area Committee and includes a Certifying Committee set up under the provisions of a scheme;

"scheme" means a scheme made under section 8 of the Act.

(4) Where a power to do any act or exercise any jurisdiction or discretion is conferred by any provision of these Regulations on a court, it may be exercised either by a judge or by a master or District Registrar or (in the Probate, Divorce and Admiralty Division and in a county court) by a registrar:

Provided that, if the power is to be exercised at the trial or hearing of the action, cause or matter, it shall be exercised only by the judge, official referee, master or registrar before whom the trial or hearing takes place.

(5) In these Regulations, unless the context otherwise requires, a Regulation or Form referred to by number means the Regulation or Form so numbered in these Regulations.

Effect of Certificates

2.—(1) Legal aid shall be available to any person to whom a certificate has been issued in accordance with these Regulations.

(2) Any document purporting to be a certificate issued in accordance with these Regulations shall, until the contrary is proved, be deemed to be a valid certificate issued to the person named therein.

Applications for Certificates

3.—(1) Any person desiring legal aid may apply for a certificate—

(*a*) if resident in England or Wales, to any Local Committee; and

(*b*) if resident elsewhere, to the Local Committee for London.

(2) Every application shall be made in writing, on a form approved by The Law Society, or in such other manner, being in writing, as the secretary of the Local Committee may accept as sufficient in the circumstances of the case and shall be lodged with the secretary of the Local Committee.

(3) Every application shall contain such information and shall be accompanied by such documents as may be requisite to enable—

(*a*) a Local Committee to determine—

(i) the nature of the proceedings in relation to which legal aid is sought and the circumstances in which legal aid is required; and

(ii) the question whether it is reasonable that a certificate should be granted; and

(*b*) the Board to determine the disposable income and disposable capital of the applicant, for which purpose the applicant shall undertake to furnish the Board with such further information as they may require in the circumstances of the case.

(4) In the case of a person resident outside Great Britain and not able to be present in Great Britain while his application is being considered, every application shall be in English and shall be sworn, if the person is resident within the Commonwealth or the Republic of Ireland, before any Justice of the Peace or Magistrate or any person for the time being authorised by law in the place where he is to administer an oath for any judicial or other legal purpose, or, if he is resident elsewhere, before a Consular Officer in the service of His Majesty's Government in the United Kingdom or any other person for the time being authorised to exercise the functions of such Consular Officer, or having authority to administer an oath in that place, and shall be accompanied by—

(*a*) a statement in writing, signed by some responsible person who has knowledge of the facts, certifying that part of the application which relates to the applicant's income and capital; and

(*b*) an undertaking, signed by the applicant, that he will pay to The Law Society on demand a sum to defray the expenses of any preliminary enquiries which the Local Committee may make as a result of the application.

(5) If it appears to the Local Committee to whom an application for a certificate is made that the application would, without prejudice to the applicant, be more conveniently or appropriately considered by another Local Committee, the papers relating to the application shall be transferred to, and all further proceedings on the application shall continue before, that other Local Committee.

(6) The Local Committee considering the application shall, except as is provided by paragraph (3) of Regulation 5, unless they shall have previously refused the application, submit to the Board so much of it as is relevant to the determination of the disposable income and disposable capital of the applicant.

Duties of Local Committees

4.—(1) Subject to the provisions of Regulation 10, an application for a certificate shall not be approved, except after consideration by a Local Committee of the general circumstances in which it is made, including questions of fact or law arising out of any proceedings to which the applicating relates, nor, except as is provided by paragraph (3) of Regulation 5, shall any application be approved except after determination by the Board of the disposable income and disposable capital of the applicant.

(2) Where the Board determine that an applicant, having a disposable income of less than four hundred and twenty pounds a year, has a disposable capital of more than five hundred pounds, the Local Committee shall not approve the application unless they estimate that, if the application were refused, the applicant's costs which might reasonably be incurred by him in taking, defending or being a party to any proceedings in respect of which the application was made would exceed the maximum contribution payable by the applicant under the Act.

(3) Where an application for a certificate is made by a trustee, executor, administrator or other person in circumstances in which, in the opinion of a Local Committee, a court would order the taxed costs of the proceedings to be paid out of a property, estate or fund, the Committee shall not grant the application unless it appears that the property, estate or fund would be so diminished or exhausted by that order as to cause hardship to any person beneficially interested.

(4) Where an application is made by or on behalf of a person in connection with a cause or matter in which numerous persons have the same interest, and, in accordance with rules of court, one or more persons may

sue or be sued, or may be authorised by a court to defend any such cause or matter on behalf of or for the benefit of all persons so interested, the Local Committee shall refuse the application if they are satisfied—

(*a*) that such refusal would not seriously prejudice the rights of the applicant; or

(*b*) that it would be reasonable and proper for the other persons having the same interest in the matter as the applicant to defray so much of the costs as would be payable from the Fund in respect of the proceedings if a certificate were issued.

(5) Where an application is made by or on behalf of a person who has the right, in accordance with rules of court, to be joined in one action as plaintiff with others in whom any right to relief in respect of or arising out of the same transaction or series of transactions is alleged to exist, whether jointly, severally or in the alternative, because, if those persons brought separate actions, a common question of law or fact would arise, a Local Committee may issue a certificate limited to such proceedings as may be necessary to preserve the applicant's right to relief.

(6) Where it appears to a Local Committee that the applicant has available rights or facilities making it unnecessary for him to obtain legal aid or has a reasonable expectation of obtaining financial or other help from a body of which he is a member, they shall not approve the application unless the applicant has not succeeded in enforcing or obtaining such rights, facilities or help, after having, in the opinion of the Committee, taken all reasonable steps to enforce or obtain them or after having permitted the Local Committee to take those steps on his behalf;

Provided that where it appears that the applicant has a right to be indemnified against expenses incurred in connection with any proceedings, it shall not, for the purpose of this paragraph, be deemed a failure to take a reasonable step if he has not taken proceedings to enforce that right, whether for a declaration as to that right or otherwise.

Issue of Certificates

5.—(1) A certificate may be issued in respect of the whole or a part of—

(*a*) proceedings in a court of first instance; or

(*b*) proceedings in an appellate court.

No certificate shall relate to proceedings (other than interlocutory appeals) both in a court of first instance and in an appellate court.

(2) A certificate shall not relate to more than one action, cause or matter, but may include proceedings for the enforcement of any such order or agreement as is referred to in paragraph (3) of Regulation 16.

(3) In assessing the amount of contribution, if any, payable in respect of any proceedings, a Local Committee shall have regard to their probable cost and, save as is hereinafter provided, shall not assess an amount in excess of any maximum amount of contribution determined by the Board.

(4) Where a Local Committee approve an application relating to proceedings (other than interlocutory proceedings) in an appellate court in any action, cause or matter in which the applicant was an assisted person in the court below, they shall not require the Board to redetermine the applicant's disposable income and disposable capital but shall, save as is hereinafter provided, assess the amount of contribution, if any, payable in respect of the proceedings at an amount not greater than the maximum contribution determined by the Board in relation to the proceedings in the court below less any amount assessed by any Local Committee to be paid in respect of those proceedings:

Provided that, if, since the last determination by the Board of the disposable income and disposable capital of the applicant, his circumstances have altered otherwise than as a result of the payment of a contribution in respect of the proceedings in the court below, they may require the Board to redetermine his disposable income and disposable capital and shall take into account any increase or decrease in the amount of his disposable income by an amount greater than £52 and any increase in the amount of his disposable capital by an amount greater than £75.

(5) Where a Local Committee have assessed the amount of contribution payable at a sum less than the maximum amount determined by the Board, and the costs of the proceedings prove to be greater than the contribution assessed, the appropriate Area Committee may at any time while the certificate is in force increase the amount of contribution up to the maximum determined by the Board.

(6) Where a Local Committee approve an application made to them in the circumstances described in paragraph (4) of Regulation 4, they may take into account the means of all or any of the persons having the same interest in the matter as the applicant and shall not assess an amount in excess of the aggregate of the applicant's maximum contribution as determined by the Board and of any sums which they think are reasonable in the circumstances for such persons to pay towards the cost of the proceedings.

(7) Where a Local Committee approve an application made to them in the circumstances described in paragraph (6) of Regulation 4 and the applicant appears to be a member of a body which might reasonably have been expected to give him financial help towards the cost of the proceedings, but does not appear to have any right to be indemnified by them against expenses incurred in connection therewith, the Local Committee shall require the applicant to sign an undertaking to pay to The Law Society, in addition to his contribution, if any, any sum received from that body on account of the cost of the proceedings.

(8) In fixing the method by which any contribution shall be paid, the Local Committee shall have regard to all the circumstances, including the probable length of time during which any certificate issued as a result of the application will be in force, and may order the contribution to be paid in instalments or the whole or a part of it to be paid before a certificate is issued.

(9) After a Local Committee have approved an application for a certificate they shall notify the applicant—

(*a*) of the maximum amount of his contribution as determined by the Board, and

(*b*) of the terms upon which a certificate will be issued to him;

and shall draw his attention to the provisions of section 2 (2) (*e*) of the Act (which provides that the liability of an assisted person by virtue of an order for costs made against him shall not exceed the amount, if any, which is a reasonable one for him to pay having regard to all the circumstances, including the means of all the parties and their conduct in connection with the dispute).

(10) Where an application relates to a matrimonial cause and the maximum contribution payable by the applicant is not more than ten pounds, the Local Committee shall inform the applicant that if he accepts the terms upon which they are prepared to issue a certificate they will arrange

for the case to be conducted, in accordance with section 6 (7) of the Act, by a solicitor employed by The Law Society for a salary to act in connection with matrimonial causes:

Provided that this paragraph shall not apply where the applicant is a wife and it appears to the Local Committee that the husband might reasonably be expected, if ordered to do so, to provide such security for her costs as would, with her contribution, if any, amount to more than ten pounds.

(11) An applicant who desires that a certificate should be issued to him on the terms notified to him by a Local Committee shall, within twenty-eight days of being so notified (or within such other period as the Local Committee or appropriate Area Committee may allow) signify his acceptance of those terms on a form approved by The Law Society and shall lodge it with The Law Society.

(12) If those terms require a contribution to be paid, the applicant shall, within the same period, sign on a form approved by The Law Society and lodge with them an undertaking to pay the contribution by the method stated in the terms and, if the contribution or a part of it is required to be paid before the certificate is issued, shall make that payment accordingly.

(13) Except in applications to which paragraph (10) of this Regulation relates the applicant shall, before the expiration of the same period, notify the secretary of the Local Committee of the name of the solicitor (being a member of an appropriate panel) whom he has selected to act for him.

(14) When an applicant has complied with such of the provisions of paragraphs (11), (12) and (13) of this Regulation as are relevant to his case the Local Committee shall issue to him a certificate in Form I and shall send two copies thereof to the solicitor selected by him or, where the application was one to which paragraph (10) of this Regulation relates, shall arrange for the case to be conducted by a solicitor employed by The Law Society to act in connection with matrimonial causes.

Refusal of Certificates

6. If a Local Committee refuse an application for a certificate they shall notify the applicant, stating that the application has been refused on one or more of the following grounds—

(*a*) that the Board have determined that the applicant's disposable income is more than four hundred and twenty pounds a year and legal aid is therefore not available to him under the provisions of Part I of the Act; or

(*b*) that the proceedings to which the application relates are not proceedings for which legal aid may be given; or

(*c*) that the Board have determined that the applicant, having a disposable income of less than four hundred and twenty pounds a year, has a disposable capital of more than five hundred pounds and it appears to the Local Committee that he can afford to proceed without legal aid; or

(*d*) that the applicant has not shown that he has reasonable grounds for taking, defending or being a party to proceedings; or

(*e*) that it appears unreasonable that he should receive legal aid in the particular circumstances of the case (whether as a result of any discretion given to a Local Committee under any provision of these Regulations or otherwise);

and shall inform him of the provisions of these Regulations which relate to the circumstances in which he may appeal to the appropriate Area Committee for the decision to be reviewed.

Repeated Refusal of Certificates

7.—(1) Where a person has applied for and has been refused a certificate on more than four occasions (whether or not such applications were in relation to the same or different proceedings or were made to the same or different Local Committees) and it appears to any Local Committee to whom such a person applies that his conduct may amount to an abuse of the facilities provided by the Act, they may report thereon to the appropriate Area Committee.

(2) An Area Committee to whom such a report is made shall—

(*a*) enquire whether any other Local Committee in their area has received an application from the person referred to;

(*b*) call for a report as to the circumstances of any such other application; and

(*c*) if they consider that the person named in the report has abused the facilities provided by the Act, report thereon to The Law Society making such recommendations as seem to the Area Committee to be just.

(3) The Law Society, on receipt of such report, shall give the person referred to therein an opportunity of making (either himself or by some other person acting on his behalf) representations in writing on the matter, and shall make such other enquiries as seem to be necessary and, if they are satisfied that his conduct has amounted to an abuse of the facilities of the Act, may direct that no consideration shall be given by any Local Committee either—

(*a*) to any future application by that person for a certificate with regard to any particular matter; or

(*b*) in exceptional circumstances, to any future application by him whatsoever.

(4) No such direction shall—

(*a*) apply to any committee, receiver, next friend or guardian ad litem applying for a certificate on behalf of such person; or

(*b*) remain in force for a period longer than five years.

(5) Where The Law Society make any such direction they shall inform the Lord Chancellor thereof and shall, if so requested, give him their reasons for so directing.

Amendment of Certificates

8.—(1) The appropriate Area Committee may amend a certificate—

(*a*) where it appears to the Area Committee that there has been some error or mistake in a certificate; or

(*b*) when the circumstances of an assisted person's case have altered since his certificate was issued, so that, in the opinion of the Area Committee, it has become desirable either for the certificate to extend to other proceedings, being part of the same action, cause or matter to which the certificate relates, or proceedings for the enforcement of any such order or agreement as is referred to in paragraph (3) of Regulation 16, or for the certificate not to extend to certain of the proceedings in respect of which it was issued; or

(*c*) when an assisted person desires to change the solicitor who is acting for him or a solicitor gives up an assisted person's case; or

(*d*) where the circumstances upon which the Board have determined an assisted person's disposable income or disposable capital have altered so that—

(i) his disposable income has increased or decreased by an amount greater than fifty-two pounds; or

(ii) his disposable capital has increased by an amount greater than seventy-five pounds.

(2) The provisions of Regulations 3, 4, 5 and 6 shall apply, so far as applicable, to applications for the amendment of certificates as they apply to applications for certificates, but with the substitution for references to a Local Committee of references to the appropriate Area Committee.

(3) Where an Area Committee amend a certificate they shall issue to the assisted person a notice of amendment in Form II and shall send two copies thereof to his solicitor.

(4) The decision of an Area Committee on any question relating to amendment of a certificate shall be final.

(5) Whenever the circumstances upon which the Board have determined the disposable income or disposable capital of an assisted person have altered so that he has reason to believe that his disposable income has increased by an amount greater than fifty two pounds or his disposable capital has increased by an amount greater than seventy five pounds, he shall inform the appropriate Area Committee of that alteration in his circumstances, and such notice shall be deemed to be an application for an amendment of his certificate.

Appeals against Refusal of Certificates

9.—(1) Where a Local Committee refuse an application for a certificate or an applicant feels aggrieved by the terms upon which the Local Committee would be prepared to issue a certificate, the applicant may appeal to the appropriate Area Committee:

Provided that no appeal shall lie to an Area Committee from—

(*a*) any determination of the Board ; or

(*b*) any decision by a Local Committee as to the amount of any contribution or the method by which it shall be paid.

(2) Such appeal shall be by way of review of the general circumstances in which the application for a certificate was made.

(3) Every appeal shall be brought by giving to the appropriate Area Committee, within twenty-eight days of the date of notice of refusal of a certificate or of the terms upon which a certificate would be issued (or such longer period as the Local Committee or Area Committee may allow), notice of appeal in writing on a form approved by The Law Society or in such other manner, being in writing, as the secretary of the Area Committee may accept as sufficient in the circumstances of the case.

(4) Upon an appeal the appellant may furnish further statements, whether oral or in writing, in support of his application and may conduct the appeal himself or, at his own expense, be represented by counsel or solicitor or be assisted by any other person whom he may appoint for the purpose.

(5) The Area Committee shall determine the appeal in such manner as seems to them to be just and, without prejudice to the generality of the foregoing, may—

(*a*) dismiss the appeal ; or

(*b*) direct the Local Committee to issue a certificate subject to such terms and conditions as the Area Committee think fit ; or

(*c*) instead of themselves settling such terms and conditions, direct the Local Committee to do so ; or

(*d*) refer the matter or any part of it back to the Local Committee for their determination or report.

(6) Any decision of an Area Committee with regard to an appeal shall be final, and they shall give notice of their decision, in a form approved by The Law Society, to the Local Committee and to the appellant and to any solicitor acting for him.

Emergency Certificates

10.—(1) A Chairman, Vice-Chairman or secretary of a Local Committee, or any member of a Local Committee nominated by the Chairman or Vice-Chairman with the approval of the Area Committee, shall have power, in accordance with the provisions of this Regulation, to issue an emergency certificate on behalf of the Local Committee and without reference to them or to the Board.

(2) Any person who desires legal aid as a matter of urgency may apply for an emergency certificate to any of the persons referred to in paragraph (1) of this Regulation on a form approved by The Law Society or in such other manner as the person to whom application is made may accept.

(3) An applicant for an emergency certificate shall give such information as may be requisite to enable the person to whom application is made to determine whether—

(*a*) the applicant is likely to fulfil the conditions under which legal aid may be granted under the Act and Regulations made thereunder; and

(*b*) it is in the interests of justice that the applicant should, as a matter of urgency, be granted legal aid.

(4) Where an application for an emergency certificate is approved, the person approving it shall issue to the applicant an emergency certificate in Form III, and shall send two copies thereof to the solicitor selected by the applicant from the appropriate panel.

(5) An emergency certificate shall have the same effect in all respects as a certificate and any person holding an emergency certificate shall, while it is in force, be deemed for the purposes of Part I of the Act and these Regulations to have a disposable income not exceeding four hundred and twenty pounds a year.

(6) A person by whom an emergency certificate has been issued shall, as soon as practicable thereafter, report the circumstances in which it was issued to the Local Committee of which he is a member or, as the case may be, the secretary, and (except where he is himself the secretary of the Local Committee) shall lodge any papers or documents relating to the application with the secretary.

(7) A person to whom an emergency certificate has been issued shall, as soon as practicable thereafter, furnish the Local Committee with such additional information, if any, as is required on an application for a certificate.

(8) The report made under paragraph (6) of this Regulation and any additional information furnished under paragraph (7) of this Regulation shall be deemed to constitute an application for a certificate by the person to whom the emergency certificate has been issued.

(9) An emergency certificate shall remain in force for a period of six weeks or such longer period not exceeding three months as the Local Committee may allow, and unless within that period a certificate is issued in respect of the proceedings to which the emergency certificate relates, it shall, at the end of that period, be deemed to have been revoked.

(10) A certificate issued under paragraph (8) of this Regulation shall bear the same date as the emergency certificate.

(11) If a Local Committee do not issue a certificate on an application made under paragraph (8) of this Regulation they shall revoke the emergency certificate.

Discharge and Revocation of Certificates

11.—(1) A certificate may be either discharged or revoked by the authorities, and in the circumstances, specified in this Regulation.

(2) The appropriate Area Committee may discharge a certificate—

(*a*) at any time at the request of the person to whom it is issued;

(*b*) where an assisted person has been required to make a contribution and any payment in respect thereof is more than twenty-one days in arrear;

(*c*) if they are satisfied, after considering any report of the assisted person's solicitor, that the proceedings to which the certificate relates have been disposed of;

(*d*) where the assisted person's solicitor or counsel has given up the case and the Area Committee are satisfied that the assisted person has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Fund or has required unreasonably that the proceedings be continued:

Provided that a certificate shall not be discharged under this sub-paragraph until the assisted person has been given an opportunity to show cause why the certificate should not be discharged;

and shall discharge a certificate if, as a result of a further determination by the Board under the provisions of Regulation 8, the disposable income of an assisted person exceeds four hundred and twenty pounds a year.

(3) Where the appropriate Area Committee are satisfied that an assisted person has wilfully failed to comply with any Regulation as to the information to be furnished by him, or, in furnishing any such information has knowingly made a false statement or false representation, they may, if they think fit—

(*a*) where such omission or act occurred prior to the issue of a certificate, revoke the certificate; or

(*b*) where such omission or act occurred after the issue of the certificate, discharge the certificate from the date upon which such omission or act occurred.

(4) At any time during the hearing of any proceedings to which an assisted person is a party the court may, upon application by or on behalf of any other party to the proceedings or by The Law Society, consider whether the assisted person—

(*a*) has wilfully failed to comply with any Regulation as to the information to be furnished by him; or

(*b*) in furnishing any such information has knowingly made a false statement or false representation;

and on any such application the court may make an order revoking the certificate or discharging it from such date as may be appropriate and the court's decision shall be final:

Provided that no order shall be made under this sub-paragraph until the assisted person has been given an opportunity to show cause why the certificate should not be discharged, or, as the case may be, revoked.

(5) When an Area Committee revoke or discharge an assisted person's certificate they shall forthwith issue to him a notice of revocation in Form IV or notice of discharge in Form V (as the case may be) and shall send two copies thereof to his solicitor, who shall forthwith inform any counsel instructed by him in the proceedings of the Committee's decision.

(6) When a court makes an order revoking or discharging an assisted person's certificate his solicitor shall forthwith inform the appropriate Area Committee.

Effect of Discharge and Revocation of Certificates

12.—(1) Subject to the provisions of this Regulation, a person whose certificate is revoked shall be deemed never to have been an assisted person in the proceedings to which the certificate related, and a person whose certificate is discharged shall, from the date of discharge, cease to be an assisted person in those proceedings.

(2) Upon receipt by him of notice of revocation or discharge of a certificate by an Area Committee or upon revocation or discharge of a certificate by the court, the retainer of any solicitor and of counsel selected by or acting on behalf of the assisted person in proceedings to which the certificate relates shall forthwith determine :

Provided that if an Area Committee revoke or discharge a certificate and proceedings have commenced, whether ex parte or inter partes, the retainer of the solicitor shall not determine until he has filed and, if the proceedings are inter partes, has served, the notice required by Regulation 15.

(3) Upon determination of a retainer under this Regulation—

(*a*) the costs of the proceedings to which the certificate related, incurred by or on behalf of the person to whom it was issued, shall, as soon as practicable thereafter, be taxed or, as the case may be, assessed in accordance with the provisions of the Act and these Regulations ;

(*b*) the Fund shall remain liable for the payment of any costs so taxed or assessed.

(4) Where a certificate has been revoked or discharged, those provisions of section 3 of the Act which provide for a charge upon property recovered or preserved for an assisted person shall apply to any property recovered or preserved as a result of the person whose certificate has been revoked or discharged continuing to take, defend or be a party to the proceedings to which the certificate related.

(5) Where a certificate has been revoked—

(*a*) The Law Society shall have the right to recover from the person to whom the certificate was issued the costs paid or payable under sub-paragraph (*b*) of paragraph (3) of this Regulation less any amount received from him by way of contribution ; and

(*b*) the solicitor who has acted in the proceedings shall have the right to recover from that person the difference between the amount paid or payable out of the Fund and the full amount allowed on a taxation according to the ordinary rules applicable on a taxation as between solicitor and own client.

(6) Where a certificate has been discharged, the person to whom the certificate was issued shall remain liable for the payment of his maximum contribution, if any, as determined by the Board up to the amount paid or payable by The Law Society under sub-paragraph (*b*) of paragraph (3) of this Regulation, and where he continues to take, defend or be a party to the proceedings to which the certificate related—

(*a*) those provisions of section 2 of the Act which relate to sums recovered by virtue of an order or agreement for costs made in favour of an assisted person shall apply in so far as the costs were incurred while he was an assisted person ; and

(*b*) those provisions of section 2 of the Act which relate to an assisted person's liability by virtue of an order for costs made against him shall apply in so far as the costs were incurred while he was an assisted person.

Legal Aid Granted after Commencement of Proceedings

13.—(1) Where, after proceedings have been instituted in any court, any party becomes an assisted person in regard to those proceedings, the provisions of section 2 (2) (*e*) of the Act (which relates to the liability of an assisted person by virtue of an order for costs made against him) shall apply only to so much of the costs of the proceedings as are incurred while a certificate is in force.

(2) Any solicitor who has acted in the proceedings on behalf of the assisted person before the date of the certificate may give notice of the fact to the appropriate Area Committee, and The Law Society shall pay to him his costs taxed or agreed in like manner as they are assessed or agreed by virtue of any order or agreement for costs made in the assisted person's favour in the proceedings to the extent that such costs are recovered.

(3) Where a solicitor has by law a lien on any documents necessary for the proceedings to which the certificate relates and has delivered them up subject to his lien and costs or damages are recovered for the assisted person, The Law Society shall, out of the sums so recovered, pay the solicitor the costs to which he would be entitled on a taxation as between solicitor and own client.

Conduct of Proceedings on Behalf of Assisted Persons

14.—(1) Where it appears to an assisted person's solicitor that the proper conduct of the proceedings requires counsel, such counsel shall be selected from the appropriate panel.

(2) Every set of papers delivered by an assisted person's solicitor to counsel shall be marked "Legal Aid" and no fees shall be marked thereon.

(3) Where it appears to the assisted person's solicitor necessary for the proper conduct of the proceedings to take or to apply to the court for leave to take any one or more of the following steps, namely:—

(*a*) to add any further party to the proceedings; or

(*b*) to bespeak any transcript of shorthand notes of any proceedings; or

(*c*) to lodge any interlocutory appeal; or

(*d*) to instruct more than one counsel; or

(*e*) to set up or set off any right or claim having the same effect as a cross-action (other than a counter-claim or set-off arising out of the same transaction and capable of being pleaded as a defence), or to reply to any right or claim so set up or so set off by any other party;

he shall (unless the certificate provides for the act in question to be done) apply to the appropriate Area Committee for authority so to do, and no payment shall be allowed on taxation for any such step taken without their approval.

(4) The Law Society may give general authority to solicitors acting for assisted persons in any particular class of case to obtain the report or opinion of one expert and to tender one person's expert evidence, and if so they shall state the maximum total fee to be paid.

(5) Where it appears to an assisted person's solicitor necessary for the proper conduct of the proceedings either—

(*a*) to obtain a report or opinion of one or more experts or to tender expert evidence in a case of a class not included in any general authority under the foregoing paragraph; or

(*b*) in a case of a class so included, to pay a higher fee than that stated by The Law Society or to obtain the report or opinion of more than one expert or to tender the expert evidence of more than one person,

he may apply to the appropriate Area Committee for authority so to do and if the Area Committee give authority they shall state the maximum number of reports or opinions that may be obtained, or the maximum number of persons who may be tendered to give expert evidence, and the maximum total fee to be paid therefor.

(6) Save as provided by this Regulation, no payment shall be made for the report or opinion of an expert or for expert evidence tendered by or on behalf of an assisted person.

(7) Without prejudice to the right of solicitors or counsel to give up a case for good reason, any solicitor or counsel may give up an assisted person's case if, in his opinion, the assisted person has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Fund or has required unreasonably that the proceedings be continued.

(8) Where any solicitor or counsel exercises the right to give up an assisted person's case conferred upon him under the provisions of paragraph (7) of this Regulation the solicitor shall make a report to the appropriate Area Committee of the circumstances in which it was exercised.

(9) Where an Area Committee to whom such report is made do not discharge the assisted person's certificate under the provisions of Regulation 11 they shall require the assisted person to select another solicitor from the appropriate panel to act for him, or, if the case has been conducted by a solicitor employed by The Law Society for a salary to act in connection with matrimonial causes, shall arrange for another solicitor so employed to act for him, and shall thereupon certify in writing that the first solicitor has ceased to act for the assisted person, and shall send the certificate to that solicitor.

(10) On any application made under rules of court for an order to the effect that a solicitor has ceased to be the solicitor for the assisted person, a certificate issued under the immediately preceding paragraph shall be conclusive evidence of the facts stated therein.

(11) No solicitor or counsel acting for an assisted person shall entrust the conduct of any part of the case to any other person save to a solicitor or counsel who is a member of an appropriate panel:

Provided that nothing in this paragraph shall prevent a solicitor from entrusting the conduct of any part of the case to a person who is a partner of his or who is employed in his office.

(12) An assisted person's solicitor and his counsel, if any, shall give the appropriate Area Committee such information regarding the progress and disposal of proceedings to which the certificate relates as the Committee may from time to time require for the purpose of performing their functions under the Scheme.

Service of Notices, Etc.

15.—(1) Any notice required to be served under any provision of these Regulations shall be served either personally or by prepaid post to the last known address of the person required to be served.

(2) Whenever an assisted person becomes a party to proceedings, or a party to proceedings becomes an assisted person, his solicitor shall forthwith serve all other parties with notice in Form VI and shall, if at any time thereafter any other person becomes a party to the proceedings, forthwith serve similar notice upon such person.

(3) Whenever an assisted person's certificate is amended under the provisions of sub-paragraph (*a*) or (*b*) of paragraph (1) of Regulation 8, or is

discharged or revoked or a certificate is issued relating to the same proceedings as those to which an emergency certificate related, the solicitor acting or who acted for the person concerned shall forthwith serve notice of the fact in Form VII upon any other persons who are parties to the proceedings and are not in default in entering appearance.

(4) Copies of the notices referred to in paragraphs (2) and (3) of this Regulation shall form part of the papers for the use of the judge at the trial.

(5) Whenever a certificate is issued, amended, discharged or revoked, or an emergency certificate is issued or discharged, the solicitor acting or who acted for the person concerned shall, not later than seven days after the receipt by him, under the provisions of these Regulations, of copies of Forms I, II, III, IV or V or, if proceedings have not begun, upon commencement of the proceedings, file one copy thereof in the appropriate court office or registry.

(6) Any person, not being himself an assisted person, who is a party to proceedings to which an assisted person is a party may, at any time before the hearing, file in the appropriate court office or registry an affidavit exhibiting thereto a statement setting out the rate of his own income and amount of his own capital and any other facts relevant to the determination of his means in accordance with the provisions of section 2 (2) (*e*) of the Act.

(7) Any person filing an affidavit under the provisions of the last foregoing paragraph of this Regulation shall serve a copy thereof, together with the exhibit, upon the assisted person's solicitor, who shall forthwith serve him with a copy of any Form filed by him under paragraph (4) but, save as aforesaid, no document and no extract from a document filed or exhibited under paragraphs (5) and (6) of this Regulation shall be disclosed save by leave of the court.

(8) Any document so filed or exhibited shall be bespoken or made available for the use of the judge at the hearing.

(9) Save as is otherwise provided by these Regulations, in any proceedings in any court to which an assisted person is party the procedure shall be regulated by the rules of procedure for that court.

Property Recovered or Preserved for and Costs Awarded to an Assisted Person

16.—(1) All monies payable to an assisted person—

(*a*) by virtue of any order or agreement made in proceedings to which his certificates relates; or

(*b*) being monies paid into court by him or on his behalf and ordered to be repaid to him; or

(*c*) being monies standing in a court to the credit of any proceedings to which his certificate relates;

shall be paid or repaid, as the case may be, to the solicitor of the assisted person and no other person shall be capable of giving a good discharge for monies so payable.

(2) All monies received by an assisted person's solicitor under the foregoing paragraph shall be paid by him to The Law Society.

(3) Where in any proceedings to which an assisted person is a party—

(*a*) an order or agreement is made providing for the recovery or preservation of property for the benefit of the assisted person and, by virtue of the Act, there is a first charge on the property for the benefit of the Fund; or

(*b*) an order or agreement is made for the payment of costs to the assisted person;

the assisted person shall, subject to the provisions of the next following paragraph, take such proceedings, being proceedings which may be taken under section 1 of the Act, as may be necessary to enforce or give effect to such order or agreement.

(4) Any assisted person may apply to the appropriate Area Committee for a direction that the foregoing paragraph shall not apply to him on the ground that, having regard to the probable cost of any proceedings referred to or to the likelihood of their being successful, it would be unreasonable to take them and, if the Area Committee agree, they shall direct that the proceedings be not taken and shall amend the assisted person's certificate so as to exclude such proceedings therefrom.

The power conferred on an Area Committee by this paragraph may be exercised without an application being made by an assisted person.

(5) Where an Area Committee, having directed that proceedings be not taken by the assisted person, are of the opinion that it is expedient so to do, they may enforce any order for the payment of money by the issue in the name of The Law Society of a judgment summons in a County Court.

(6) Upon receipt of monies paid to them by virtue of this Regulation The Law Society shall retain—

(*a*) any sum paid by virtue of an order or agreement for costs made in the assisted person's favour;

(*b*) a sum equal to the amount (if any) by which any property recovered or preserved is charged for the benefit of the Fund by virtue of section 3 (4) of the Act (which provides that any sums remaining unpaid on account of an assisted person's contribution and, if the total contribution is less than the net liability of the Fund on his account, a sum equal to the deficiency shall be a first charge on any property recovered or preserved in the proceedings); and

(*c*) any costs of proceedings taken by the Area Committee in the name of The Law Society under the provisions of paragraph (5) of this Regulation in so far as such costs have not been recovered from the person against whom the proceedings have been taken;

and shall pay the balance to the assisted person.

(7) The appropriate Area Committee may defer the payment to an assisted person's solicitor of his profit costs in connection with the proceedings until he has, in their opinion, given effect to any provision of this Regulation.

Costs Awarded Against an Assisted Person

17.—(1) Where an order for costs is made against an assisted person, then, subject to the provisions of the next following paragraph of this Regulation—

(*a*) the determination of the amount of his liability for costs in accordance with section 2 (2) (*e*) of the Act shall, save as is hereinafter provided, be made at the trial or hearing of the action, cause or matter and be final;

(*b*) in determining the amount of the assisted person's liability, his dwelling house and household furniture and the tools and implements of his trade shall be left out of account to the like extent as they are left out of account in the determination by the Board of his disposable income and disposable capital;

(*c*) in determining the amount of the assisted person's liability, any certificate, emergency certificate, notice or affidavit which may have been filed under the provisions of Regulation 15 shall be evidence of the facts stated therein;

Provided that any party may, if the court in the particular circumstances of the case thinks fit, be cross-examined on the facts stated in a certificate, emergency certificate, notice or affidavit and may give evidence as to any other facts relevant to determining the assisted person's liability;

(*d*) the court may order the assisted person to pay, by instalments or otherwise, either—

(i) such amount, if any, as the court thinks reasonable having regard to all the circumstances; or

(ii) an amount to be determined on taxation not exceeding such amount as the court thinks reasonable having regard to all the circumstances;

and the order may provide that payment shall not be made or instalments shall not become due until such date as the court may determine:

Provided that—

(i) the court may, if it thinks it expedient for the interests of justice, postpone or adjourn a determination under this Regulation for such time and to such place, including chambers, and upon such terms, if any, as the court thinks fit, so, however, that the determination shall take place before the judge, official referee or registrar before whom the trial or hearing takes place; and

(ii) the party in whose favour the order is made may, within six years from the date thereof, apply to the court for the order to be varied on the grounds that there has been a change in the assisted person's circumstances since the date of the order, and on any such application the order may be varied as the court thinks fit.

(2) Where an order for costs is made against an assisted person by reason of his default of appearance or defence or by reason of summary judgment, he shall be liable for the full amount of the costs, unless he makes an application for determination of the amount of his liability under the provisions of section 2 (2) (*e*) of the Act, in which case the court may make any such order for payment as may be made in determining an assisted person's liability by virtue of an order for costs made against him at a trial or hearing of an action, cause or matter and shall, to the same extent, be final.

Miscellaneous Provisions as to Costs

18.—(1) Where the retainer of an assisted person's solicitor or counsel is determined before proceedings are actually begun, the solicitor may apply to the appropriate Area Committee for a payment to himself and counsel (if any) in respect of work done on behalf of the assisted person before the determination of the retainer.

(2) On any such application the Area Committee may authorise the payment to the solicitor and counsel (if any) of such amount as in the opinion of the Area Committee is fair remuneration for work actually and reasonably done on behalf of the assisted person.

(3) Any order for the payment of the costs of any proceedings to which an assisted person is a party shall include a direction that his costs are (in addition to any other direction as to taxation contained in the order) to be taxed as between solicitor and client in accordance with the provisions of the Third Schedule to the Act.

(4) Costs incurred by reason of any report made by an assisted person's solicitor under Regulation 11 and of any application made under Regulation 14 shall be taxed as between solicitor and client in accordance with the provisions of the said Third Schedule and costs incurred by reason of Regulation 15 shall be costs in the cause.

(5) Until the Lord Chancellor otherwise prescribes, the determination of the sums allowed to counsel retained by solicitors employed by The Law Society for salaries to act in connection with matrimonial causes shall be made on taxation of the costs on account of disbursements and, having regard to the lack of means of assisted persons of that class (being persons from whom, had there not been legal aid, solicitors and barristers would have customarily accepted specially low remuneration) the taxing officer shall, unless the Lord Chancellor in any particular case otherwise orders, allow therefor the amounts set out in the Schedule to these Regulations.

Charges upon Property Recovered or Preserved

19.—(1) Any charge on property recovered or preserved for an assisted person arising under section 3 (4) of the Act shall vest in The Law Society.

(2) The Law Society may enforce any such charge in any manner which would be available if the charge had been given inter partes.

(3) Any such charge affecting land shall be a land charge of class B within the meaning of section 10 of the Land Charges Act, 1925.

(4) Subject to the provisions of the Land Charges Act, 1925, all conveyances and acts done to defeat, or operating to defeat, such charge shall, except in the case of a conveyance to a bona fide purchaser for value without notice, be void as against The Law Society.

Transitional Provisions

20.—(1) In this Regulation the expression "material date" means the date on which Rules 22 to 31H of Order XVI of the Rules of the Supreme Court, 1883 (in this Regulation referred to as the Poor Persons Rules) are repealed.

(2) Where on the material date an application for a Poor Persons Certificate is pending the Poor Persons Committee shall forward the application to the secretary of a convenient Local Committee, and thereupon the applicant shall be deemed to have applied for legal aid under the provisions of the Act and these Regulations.

(3) Where at the material date a person has been admitted as a poor person under the Poor Persons Rules to take, defend or be a party to any proceedings mentioned in Part II of the First Schedule to the Act, he may continue to proceed under the Poor Persons Rules and those Rules shall continue to apply for the purposes of those proceedings as if they had not been repealed.

(4) Where before the material date a person has been admitted as a poor person under the Poor Persons Rules to take, defend or be a party to any proceedings other than those referred to in paragraph (3)—

(*a*) the Board shall be deemed to have determined his disposable income to be less than one hundred and fifty-six pounds a year and his disposable capital to be less than seventy-five pounds;

(*b*) the Poor Persons Certificate issued to him shall, on the material date, be deemed to have become a certificate issued under the provisions of these Regulations and these Regulations shall, so far as applicable, thereupon apply to that person as if he were an assisted person; and

(*c*) his conducting solicitor and counsel (if any) retained for the purposes of the proceedings shall be deemed to be members of an appropriate panel, acting for him in accordance with the Act or these Regulations.

(5) All proceedings which, immediately before the material date, were being conducted by solicitors employed by The Law Society by virtue of Rule 28A and Rule 28B of the Poor Persons Rules shall, on the material date, be treated as if they were matrimonial causes.

(6) A person receiving legal aid in consequence of the provisions of paragraph (4) shall remain liable for any sum of money which he has been or may be required to pay under the Poor Persons Rules to the extent that it is required to meet out-of-pocket expenses of his solicitor, and for the cost, not exceeding three guineas, of the employment by The Law Society of a conducting solicitor and the cost of the department of The Law Society under his supervision, in so far as those expenses or costs have been incurred before the material date.

(7) A Poor Persons Committee of a Provincial Law Society shall supply to The Law Society such accounts and information as The Law Society may require with regard to sums paid to the Committee by persons admitted to take, defend or be a party to any proceedings as poor persons, and The Law Society may require any account so supplied to be audited at the expense of the Fund.

Forms

21. The Forms in the Appendix to these Regulations shall be used wherever applicable with such variations as circumstances may require.

Dated the fourth day of August, 1950.

Jowitt, C.

We, the undersigned, two of the Lords Commissioners of His Majesty's Treasury, do hereby concur in Regulation 20 of the above Regulations.

H. W. Bowden.
W. A. Wilkins.

Dated the eighth day of August, 1950.

SCHEDULE

FEES TO BE ALLOWED TO COUNSEL UNDER PARAGRAPH (5) OF REGULATION 18

	£	s.	d.
For advising on pleadings, evidence or proceedings or for settling pleadings, on each occasion	1	3	6
For attending at chambers, if the court or judge certifies it to be a proper case for counsel to attend	1	3	6
On a brief in an undefended cause	5	10	0
On a brief in a defended cause			
If the total time occupied by a trial shall exceed five hours, in respect of the excess, for every complete period of five hours (if any) and for any less period not included in any such complete period ..	3	5	6
Where two counsel are allowed:—			
for leading counsel in a defended cause	8	13	0
for junior counsel	5	10	0
If the total time occupied by a trial shall exceed five hours, in respect of the excess, for every complete period of five hours (if any) and for any less period not included in such complete period:—			
for leading counsel	5	10	0
for junior counsel	3	5	6

LEGAL AID (GENERAL) REGULATIONS, 1950

FORM I

THE LAW SOCIETY

Area .....
Local C'tee.....
Ref. .....
Cte. No. .....

LEGAL AID AND ADVICE ACT, 1949

CIVIL AID CERTIFICATE

This is to certify that.....
.....
of.....
.....
(hereinafter called the "assisted person") is entitled, in accordance with the Legal Aid and Advice Act, 1949 and the Regulations and Scheme made thereunder, to legal aid as (*a*).....
in connection with the following proceedings.....
.....
.....
.....
.....

(*a*) Insert "plaintiff", "defendant", "petitioner", "intervener", or as the case may require.

This is further to certify that—

1. The assisted person's solicitor is.....
..... of .....
.....

2. The National Assistance Board have determined the assisted person's disposable income as £....., his disposable capital as £....., and his maximum contribution as £.....

3. The Local Committee have assessed the assisted person's contribution at £..... payable.....

4. .....
.....
.....
..... (*b*)

(*b*) Insert any special conditions.

Dated this day of 19 .
[Amended this day of 19 .]

(Signed).....
Secretary to the.....
Local Committee in Legal Aid Area No. .....

LEGAL AID (GENERAL) REGULATIONS, 1950

FORM II

THE LAW SOCIETY

Date ..... No. .....Legal Aid Area
Ref. ..... (Address of Area Headquarters)
Certificate No. .....

DEAR SIR/MADAM,

Legal Aid and Advice Act, 1949

I am requested by the Area Committee to inform you that they have amended your civil aid certificate. I enclose a copy of the certificate showing the amendments accordingly.

Yours faithfully,

Area Secretary.

To .....
of.....
.....
.....

LEGAL AID (GENERAL) REGULATIONS, 1950

FORM III

THE LAW SOCIETY

LEGAL AID AND ADVICE ACT, 1949

Area .....
Local C'ttee .....
Appn. No. .....
Case Code .....
Solr's. No. .....
Type of A.P. .....
Type of Cte. .....
E/Cte. No.....

EMERGENCY CERTIFICATE

This is to certify that.....
of.....
.....
(hereinafter called " the assisted person ") is entitled, in accordance with the Legal Aid and Advice Act, 1949 and the Regulations and Scheme made thereunder, to legal aid as (*a*).....
in connection with the following proceedings.....
.....
.....
.....

(*a*) Insert "plaintiff", "defendant", "petitioner", "intervener", or as the case may require.

This is further to certify that—

1. The assisted person's solicitor is (*b*).....
..... of .....
.....

(*b*) The name and address of the solicitor should be filled in if possible when the emergency certificate is issued, but may be filled in after the emergency certificate has been filed.

2. This certificate, being an emergency certificate, remains in force for a period of six weeks from the date hereof, or such other period not exceeding three months as the Local Committee may allow, unless it is previously revoked or is replaced by a civil aid certificate.

Dated this day of 19 .

(Signed).....

Chairman
Vice-Chairman
Member
Secretary
} of the .....
Local Committee in Legal Aid Area No. .....

LEGAL AID (GENERAL) REGULATIONS, 1950

FORM IV

THE LAW SOCIETY

Date ..... No. .....Legal Aid Area

Ref. ..... (Address of Area Headquarters)

Certificate No. .....

Case Code .....

Category .....

DEAR SIR/MADAM,

Legal Aid and Advice Act, 1949

I am requested by the Area Committee to inform you that they have decided to discharge the civil aid certificate issued to you and numbered as above. Accordingly you are no longer an assisted person in the proceedings to which your certificate related. Your solicitor and counsel, if any, will cease to act further for you in the proceedings to which your certificate related unless you re-employ him or them and become responsible for his or their fees for the future.

You will hear further from me in due course regarding the financial position between yourself and The Law Society.

Yours faithfully,

Area Secretary.

To .....

of.....

.....

.....

LEGAL AID (GENERAL) REGULATIONS, 1950

FORM V

THE LAW SOCIETY

Date ..... No. .....Legal Aid Area

Ref. ..... (Address of Area Headquarters)

Certificate No. .....

Case Code .....

Category .....

DEAR SIR/MADAM,

Legal Aid and Advice Act, 1949

I am requested by the Area Committee to inform you that they have decided to revoke the civil aid certificate issued to you and numbered as above. Accordingly—

1. You are deemed never to have been an assisted person in the proceedings to which your certificate related.

2. Your solicitor and counsel (if any) will cease to act further for you in the proceedings to which your certificate related unless you yourself re-employ him or them and become responsible for his or their fees for the future.

3. If you continue the proceedings to which your certificate related and property is recovered or preserved for you, there may be a first charge on such property for the benefit of the legal aid fund in respect of any liability of the Fund on your account.

4. The Law Society have the right to recover from you the costs paid or payable out of the legal aid fund to your solicitor and the fees so payable to your counsel less any amount received from you by way of contribution.

5. Your solicitor has the right to recover from you the difference between the amount paid or payable out of the Fund and the full amount allowed on a taxation according to the ordinary rules applicable on a taxation as between solicitor and own client.

6. You are not now entitled to any protection under Section 2 of the Legal Aid and Advice Act, 1949, in respect of any order for costs which may be made against you with respect to the proceedings to which your certificate related.

I should further draw your attention to the fact that under the Rules of Court where a party discontinues proceedings he may thereby render himself liable for the costs of his opponent.

You will hear further from me in due course regarding the financial position between yourself and the Law Society.

Yours faithfully,

Area Secretary.

To .....
of.....
.....
.....

LEGAL AID (GENERAL) REGULATIONS, 1950

FORM VI

THE LAW SOCIETY

Legal Aid and Advice Act, 1949

No. .....

In the .... Court .....
[..... Division]
Between ....., [Plaintiff] [Petitioner]
and
....., [Defendant] [Respondent]

TAKE notice that a Civil Aid Certificate
dated the ..... day of ..... 19....
has been issued to .....
in connection with the following proceedings .....
.....
.....
.....

TAKE further notice that, in consequence thereof, the .....
in these proceedings is and has been from that date an assisted person.

Dated this ..... day of ..... 19....
(signed) .....
..... of .....
Solicitor for .....

To .....

LEGAL AID (GENERAL) REGULATIONS, 1950

FORM VII

THE LAW SOCIETY

Legal Aid and Advice Act, 1949

In the .... Court .....

[..... Division]

Between.....[Plaintiff] [Petitioner]

and

....., [Defendant] [Respondent]

TAKE notice that a Civil Aid Certificate
dated the ..... day of ..... 19....
issued to the ..... has, on the
..... day of ..... 19....
been [amended] [discharged] [revoked]. [The amendment provides:
that the Certificate shall [not] extend to the following proceedings .....
.....
.....
.....]
[that the solicitor acting for the .....
shall be.....
in the place of .....]

Dated this ..... day of ....., ... 19....

(signed) .....

..... of .....

Solicitor for .....

To .....

EXPLANATORY NOTE

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

The Regulations make provision, by virtue of Part I of the Legal Aid and Advice Act, 1949 as brought into force by the Legal Aid and Advice Act, 1949 (Commencement) (No. 1) Order, 1949 and the Legal Aid and Advice Act, 1949 (Commencement) Order, 1950, for legal aid in proceedings in and commencing in the Supreme Court of Judicature. Regulations 2 and 13 provide for applications for legal aid and matters resulting therefrom, other than the assessment of applicants' resources; Regulations 14 to 19 provide for the conduct of aided proceedings and the recovery of money for the benefit of the Legal Aid Fund, and Regulation 20 provides transitional provisions dealing with the poor persons procedure under Rules of the Supreme Court which are repealed by the Legal Aid and Advice Act, 1949.