1963 No. 439 (L.2)

CRIMINAL PROCEDURE, ENGLAND AND WALES

The Poor Prisoners (Counsel and Solicitor) Rules 1963

Made - - - - 4*th March* 1963
Coming into Operation 1*st April* 1963

In pursuance of the powers conferred on me by section 4 of the Poor Prisoners' Defence Act 1930(a), I hereby, with the approval of the Lord Chancellor and a Secretary of State, make the following Rules:—

1.—(1) In Rule 5 of the Poor Prisoners' (Counsel and Solicitor) Rules 1931(b) (which relates to the form of a legal aid certificate, and, in the case of a committal for trial, requires it to be forwarded to the Clerk of Assize or the Clerk of the Peace together with the name of the solicitor and counsel (if any) who has acted or appeared), the words " the solicitor and " shall be omitted.

(2) In the Schedule to the said Rules, in Form C (being the form of a legal aid certificate), before the words " Dated this day of " there shall be inserted the words " The Solicitor assigned to him is of ".

2. In the said Schedule, in the said Form C, the words " that by reason of the gravity of the charge [*or* of exceptional circumstances] " shall be omitted.

3. These Rules may be cited as the Poor Prisoners (Counsel and Solicitor) Rules 1963 and shall come into operation on 1st April 1963.

John Hobson,
Attorney-General.

4th March 1963.

Approved.

Dilhorne, C.
Henry Brooke.

4th March 1963.

(a) 20 & 21 Geo. 5. c. 32. (b) S.R. & O. 1931/582 (Rev. V, p. 325: 1931, p. 207).

EXPLANATORY NOTE

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

Rule 1 (2) of these Rules provides for the incorporation in a legal aid certificate of the name of the solicitor assigned under the certificate: Rule 1 (1) is consequential thereon. Rule 2 is consequential upon the coming into operation of section 18 (2) of the Legal Aid and Advice Act 1949, which repeals in section 2 of the Poor Prisoners' Defence Act 1930 words similar to those to be omitted from the form.