1986 No. 46

LEGAL AID AND ADVICE

Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 1986

Made . . . . . 17th February 1986

Coming into operation . . . 12th March 1986

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred by Articles 14 and 22(1) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(**a**) and now vested in him(**b**), and with the concurrence of the Treasury, hereby makes the following Regulations—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 1986 and shall come into operation on 12th March 1986.

(2) In these Regulations "the principal Regulations" means the Legal Aid (Assessment of Resources) Regulations (Northern Ireland) 1981(**c**).

Amendment to the principal Regulations

2. In sub-paragraph (1) of paragraph 11 of Schedule 1 to the principal Regulations for the figure "50%", where it twice appears, there shall be substituted the figure "25%".

Dated 13th February 1986 *Hailsham of St. Marylebone, C.*

We concur
17th February 1986

Donald Thompson
T. Garel-Jones
Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) S.I. 1981/228 (N.I. 8)
(**b**) S.I. 1982/159
(**c**) S.R. 1981 No. 189

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend paragraph 11(1) of Schedule 1 to the Legal Aid (Assessment of Resources) Regulations (Northern Ireland) 1981 which prescribes the deductions to be made in respect of the maintenance of a spouse and of any dependent child or dependent relative for purposes of calculating the disposable income of an applicant for legal aid.

The rate at which such deductions are made is reduced from 50% to 25% above—

(*a*) in the case of a spouse, the amount specified for the time being in column (3) of paragraph 6 of Part IV of Schedule 4 to the Social Security (Northern Ireland) Act 1975 (increase for adult dependant of category A retirement pensioner); and

(*b*) in the case of a dependent child or dependent relative, the amount specified for the time being in paragraph 3 of Schedule 1 to the Supplementary Benefit (Requirements) Regulations (Northern Ireland) 1980 appropriate to the age of the child or relative.