1993 No. 121

LEGAL AID AND ADVICE

Legal Aid (Financial Conditions) Regulations (Northern Ireland) 1993

Made . . . . . *11th March 1993*

Coming into operation . . *12th April 1993*

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred by Articles 12(1), 12(2), 22 and 27 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(**a**) and now vested in him(**b**) hereby makes the following Regulations—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Legal Aid (Financial Conditions) Regulations (Northern Ireland) 1993 and shall come into operation on 12th April 1993.

(2) In these Regulations—

(*a*) "the Order" means the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981;

(*b*) "the principal Regulations" means the Legal Aid (Assessment of Resources) Regulations (Northern Ireland) 1981(**c**);

(*c*) "the period of computation" means the period of computation as defined in Regulation 1(2) of the principal Regulations.

Saving and revocation

2. Regulation 4 of the Legal Aid (Financial Conditions) Regulations (Northern Ireland) 1992(**d**), is hereby revoked save in its application to any case to which these Regulations do not apply.

Transitional provisions

3.—(1) These Regulations shall apply to any application for legal aid where the period of computation begins on or after 12th April 1993.

(**a**) S.I. 1981/228 (N.I. 8): Article 27 is an interpretation provision and is recited because of the meaning assigned to the words "prescribed" and "Regulations"

(**b**) S.I. 1982/159

(**c**) S.R. 1981 No. 189; as amended by S.R. 1983 No. 189 and S.R. 1989 No. 89. There are other amendments not relevant to these Regulations

(**d**) S.R. 1992 No. 107

(2) These Regulations shall not apply to re-determinations under Regulation 12 of the principal Regulations, determinations under Regulation 13 of the principal Regulations and amended determinations under Regulation 14 of the principal Regulations where the period of computation began before 12th April 1993.

Contributions from persons receiving legal aid

4.—(1) For the yearly sum of "£3,060" specified in Article 12(1)(*a*) of the Order(**a**) there shall be substituted the yearly sum of "£2,294".

(2) In Article 12(1)(*a*) of the Order for the words "one quarter of the excess" there shall be substituted the words "one third of the excess".

Dated 11th March 1993 *Mackay of Clashfern*, C.

(a) Which figure was most recently substituted by S.R. 1992 No. 107

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 so that:

(*a*) the disposable income limit below which a person is entitled to receive legal aid without payment of a contribution is decreased from £3,060 to £2,294 (Regulation 4(1)). The upper limit of disposable income remains at the yearly sum of £7,500 for personal injury cases and at £6,800 for all other cases. No changes are made to the capital limits;

(*b*) the fraction of disposable income which is payable by way of contribution is increased from one quarter to one third (Regulation 4(2)).