STATUTORY INSTRUMENTS

1974 No. 1303

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid (Financial Conditions) Regulations 1974

Made - - -	12*th July* 1974
Laid before Parliament	15*th July* 1974
Coming into Operation	1*st September* 1974

The Lord Chancellor, in exercise of the powers conferred on him by sections 6, 9 and 20 of the Legal Aid Act 1974(a), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Legal Aid (Financial Conditions) Regulations 1974 and shall come into operation on 1st September 1974.

(2) In these Regulations, unless the context otherwise requires, "the Act" means the Legal Aid Act 1974 and other expressions have the same meaning as in that Act.

(3) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. Subject to sub-paragraphs (*a*) and (*b*) of section 6(1) of the Act, legal aid shall be available for any person whose disposable income does not exceed £1,380 a year, instead of the amount prescribed by that subsection.

3. A person's contribution to the Legal Aid Fund in respect of any proceedings may include a contribution in respect of income not greater than one-third of the amount (if any) by which his disposable income exceeds £440, instead of the amount prescribed by section 9(1) of the Act.

4. Where the period of computation used in determining the maximum amount of a person's contribution in respect of income under section 9(1) of the Act begins before the coming into operation of these Regulations then:—

(*a*) if the period of computation ends two months or more after the date on which these Regulations come into operation, his maximum contribution in respect of income shall be arrived at by apportioning it between the parts of that period falling before and after that date according to the number of months in each part (but so that any fraction of

(a) 1974 c. 4. (b) 1889 c. 63.

a month in the second part shall be treated as a complete month), and by giving effect to the change in determining the amount of the contribution in respect of the second part; but

(*b*) otherwise the maximum amount of his contribution shall be unaffected.

Dated 12th July 1974.

Elwyn-Jones, C.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations increase the financial limits of legal aid. In future legal aid will be available to those with incomes (after certain deductions) of not more than £1,380 a year (instead of £1,175) and without payment of a contribution from those with incomes (after deductions) of £440 a year (instead of £375).

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