
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 196

**The Civil Legal Services (Financial)
Regulations (Northern Ireland) 2015**

**PART 1
GENERAL**

Interpretation

2. In these Regulations, unless the context requires otherwise—

“advice”, “assistance” and “representation” have the respective meanings given by Article 2(2) of the Order;

“application” means an application to receive funded services, made by or on behalf of a client in accordance with the General Regulations;

“assessing authority” means—

- (a) in respect of advice and assistance and representation (lower courts), the supplier,
- (b) in respect of representation (higher courts), a person appointed by the Department for Social Development to make a determination;

“capital” means the amount or value of every resource of a capital nature;

“certificate” means a certificate issued under the General Regulations certifying a decision to fund representation for the client;

“child” means an individual under the age of 18;

“civil legal services” has the meaning given by Article 10 of the Order;

“client” means an individual who applies for or receives funded services and, in the case of actual or contemplated proceedings, is a party or prospective party to the proceedings;

“the Department” means the Department of Justice;

“determination” has the meaning given by regulation 3;

“the Director” means the Director of Legal Aid Casework designated by the Department under section 2 of the Legal Aid and Coroners’ Courts Act (Northern Ireland) 2014⁽¹⁾;

“disposable income” and “disposable capital” mean, respectively, the income and capital of the person concerned, calculated in accordance with Chapters 3 to 5 of Part 2, as applicable;

“funded services” means services which are provided directly for a client and funded for that client by the Department as part of civil legal services under Articles 10 to 20 of the Order;

“the General Regulations” means the Civil Legal Services (General) Regulations (Northern Ireland) 2015⁽²⁾;

(1) 2014 c. 11 (N.I.)

(2) S.R. 2015 No. 195

“income” includes benefits and privileges, and the income of the person concerned includes any sum payable to that person for the purpose of the maintenance of a child including any sum so payable under the order of a court or under any instrument;

“Independent Living Fund (2006)” means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

“the Order” means the Access to Justice (Northern Ireland) Order 2003;

“partner” except in the expression “partner in a business” means a person with whom the person concerned lives as a couple, and includes a person from whom the individual is not separated due to a breakdown in the relationship which is likely to be permanent;

“person concerned” means the person—

- (a) whose eligibility is to be assessed; or
- (b) whose resources are to be treated as the resources of the client under these Regulations;

“the Remuneration Order” means the Civil Legal Services (Remuneration) Order (Northern Ireland) 2015(3);

“representation (higher courts)” and “representation (lower courts)” have the respective meanings given by regulation 2 of the General Regulations;

“solicitor” means solicitor of the Court of Judicature;

“supplier” means the solicitor or body being requested to provide or providing funded services to the client.