

1973 No. 1475

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid (Assessment of Resources)
(Amendment) Regulations 1973

<i>Made</i> - - - -	<i>3rd August 1973</i>
<i>Laid before Parliament</i>	<i>28th August 1973</i>
<i>Coming into Operation</i>	<i>1st October 1973</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 4 and 12 of the Legal Aid and Advice Act 1949(a) and with the concurrence of the Treasury, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Legal Aid (Assessment of Resources) (Amendment) Regulations 1973, shall come into operation on 1st October 1973 and shall apply to the computation of disposable income where an application for a certificate is made on or after that date.

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

(3) In these Regulations a rule referred to by number means a rule so numbered in Schedule 1 to the Legal Aid (Assessment of Resources) Regulations 1960(c), as amended(d).

2. The following shall be substituted for sub-paragraphs (a) and (b) of rule 10(1):—

“(a) in the case of a spouse at a rate equivalent to the amount by which the amount at rate (a) in sub-paragraph (a) of paragraph 9 of Schedule 2 to the Ministry of Social Security Act 1966(e) (as substituted by section 6 of, and Schedule 4 to, the National Insurance and Supplementary Benefit Act 1973(f)) for a husband and wife exceeds the amount of rate (a) in sub-paragraph (b) of that paragraph for a person living alone;

(b) in the case of a dependent child or a dependent relative, at the amount in sub-paragraph (c) of paragraph 9 of the said Schedule 2

(a) 1949 c. 51.

(c) S.I. 1960/1471 (1960 II, p. 1749).

(e) 1966 c. 20.

(b) 1889 c. 63.

(d) There are no relevant amendments.

(f) 1973 c. 42.

appropriate to a dependant of the age of that child or other dependant, rate (a) being taken in the case of any person aged not less than 18 years.”

Dated 27th July 1973.

Hailsham of St. Marylebone, C.

We concur.

Dated 3rd August 1973.

Tim Fortescue,

Hugh Rossi,

Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Legal Aid (Assessment of Resources) Regulations 1960 by substituting the relevant increased allowances in the case of a spouse, dependent child or dependent relative contained in paragraph 9 of Schedule 2 to the Ministry of Social Security Act 1966, as substituted by section 6 of, and Schedule 4 to, the National Insurance and Supplementary Benefit Act 1973.

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