
STATUTORY INSTRUMENTS

1991 No. 524

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

The Civil Legal Aid (General) (Amendment) Regulations 1991

<i>Made</i>	- - - -	<i>7th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>		
<i>Regulation 3(2)</i>		<i>1st July 1991</i>
<i>Remainder</i>		<i>1st April 1991</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 6(2), 31(3), 34 and 43 of the Legal Aid Act 1988⁽¹⁾ having had regard to the matters specified in section 34(9) and consulted the General Council of the Bar, the Law Society, and with the consent of the Treasury, hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Civil Legal Aid (General) (Amendment) Regulations 1991.

(2) Regulation 3(2) shall come into force on 1st July 1991 and the other regulations shall come into force on 1st April 1991.

Interpretation

2. In regulation 3 of these Regulations a regulation referred to by number means a regulation so numbered in the Civil Legal Aid (General) Regulations 1989⁽²⁾.

Amendment of the Civil Legal (General) Regulations 1989

3.—(1) In paragraph (2) of regulation 104 the words after “Part 1,” shall be deleted and there shall be inserted the words “paragraph 1(1)(a) to the Legal Aid in Criminal and Care Proceedings

(1) 1988 c. 34; section 34 is amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 63. Section 43 is an interpretation provision and is cited because of the meaning assigned to the word “regulations”.

(2) S.I.1989/339.

(Costs) Regulations 1989(3) as if the work done was work to which those provisions apply, save that paragraph 2 and 3 of Schedule 1, Part I shall not apply.”.

(2) In regulation 105—

(a) After paragraph (2) there shall be inserted the following new paragraph—

“(2A) Where proceedings have begun and the solicitor is of the opinion that the total amount which he and counsel (if any) would receive after taxation on the standard basis would not be more than £500 he must apply to the Area Director for an assessment of the amount of his costs and counsel’s fees (if any) in respect of the work done.”

(b) In paragraph (3) before the word “Where” there shall be inserted the words “Subject to paragraph (2A),” and for the figure “£500” there shall be substituted the figure “£1,000”.

6th March 1991

Mackay of Clashfern, C.

We consent,

Sydney Chapman

Irvine Patnick

Two of the Lords Commissioners of Her
Majesty’s Treasury

7th March 1991

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Legal Aid (General) Regulations 1989 by—

1) excluding from the assessment of costs under the Regulations the provisions of the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989 which allow for reduction and enhancement of the prescribed rates; and

2) requiring bills estimated to be not more than £500 to be assessed by the Legal Aid Board and increasing the amount at which the Board may assess bills from £500 to £1,000.