
STATUTORY INSTRUMENTS

1995 No. 1987

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

**The Legal Advice and Assistance
(Scope) (Amendment) Regulations 1995**

Made - - - - - *21st July 1995*
Coming into force - - - - - *22nd July 1995*

Whereas a draft of these Regulations has been laid before and approved by resolution of each House of Parliament:

Now, therefore, the Lord Chancellor, in exercise of the powers conferred on him by sections 8 and 43 of the Legal Aid Act 1988(1), hereby makes the following Regulations:

Citation and commencement

1. These regulations may be cited as the Legal Advice and Assistance (Scope) (Amendment) Regulations 1995 and shall come into force on the day after the day on which they are made.

Transitional provisions

2. These Regulations shall not apply in relation to proceedings in which a magistrates' court has begun to inquire into a case as examining justices before the day on which section 44 of the Criminal Justice and Public Order Act 1994(2) comes into force, and the Legal Advice and Assistance (Scope) Regulations 1989(3) shall apply to such proceedings as if these Regulations had not come into force.

Amendment to the Legal Advice and Assistance (Scope) Regulations 1989

3. In regulation 7(3) of the Legal Advice and Assistance (Scope) Regulations 1989, for "committal proceedings" there shall be substituted "the hearing of oral representations supporting or opposing an application for dismissal under section 6 of the Magistrates' Courts Act 1980(4)".

(1) 1988 c. 34; section 43 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 60. Section 43 is an interpretation provision and is cited because of the meanings assigned to the words "prescribed" and "regulations".
(2) 1994 c. 33.
(3) S.I.1989/550, as amended by S.I. 1990/1477, 1992/2874 and 1994/2768.
(4) 1980 c. 43, as substituted by the Criminal Justice and Public Order Act 1994, section 44 and Schedule 4.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Dated 21st July 1995

Mackay of Clashfern, C.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 44 of the Criminal Justice and Public Order Act 1994 abolishes committal for trial and substitutes a new procedure of transfer for trial. These Regulations amend the Legal Advice and Assistance (Scope) Regulations 1989 by substituting a reference to an oral hearing under the new procedure for the reference to committal proceedings in the regulation excluding such proceedings from the scope of ABWOR.