
STATUTORY INSTRUMENTS

1996 No. 649

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

The Civil Legal Aid (General) (Amendment) Regulations 1996

<i>Made</i>	- - - -	<i>7th March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

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

Citation, commencement, interpretation and transitional provisions

1.—(1) These Regulations may be cited as the Civil Legal Aid (General) (Amendment) Regulations 1996 and shall come into force on 1st April 1996.

(2) These Regulations shall apply to proceedings in respect of which a legal aid certificate is granted on or after 1st April 1996.

2. Regulation 101 of the Civil Legal Aid (General) Regulations 1989(2) shall be amended by inserting after paragraph (2), the following new paragraph—

“(3) Without prejudice to regulation 100, where

- (a) the proceedings to which the certificate related have concluded or the solicitor acting for the assisted person is otherwise entitled to have his bill of costs taxed;
- (b) the solicitor commenced proceedings for taxation in accordance with the time limits laid down by rules of court; and
- (c) the solicitor has not received payment in respect of his costs for at least six months since he submitted his bill for taxation,

he may apply to the appropriate area committee for payment of 75 per cent of the amount claimed on account of his profit costs for work done in connection with the proceedings to which the certificate related.”.

(1) 1988 c. 34; sections 34 and 43 were amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraphs 60 and 63. Section 43 is an interpretation provision and is cited because of the meaning assigned to the word “regulations”.

(2) S.I.1989/339; there are no relevant amendments.

Status: This is the original version (as it was originally made).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

Dated 5th March 1996

Mackay of Clashfern, C.

We consent,

Dated 7th March 1996

Simon Burns
Derek Conway
Two of the Lords Commissioners of Her
Majesty's Treasury

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Legal Aid (General) Regulations 1989 to enable a solicitor to receive a payment on account of his costs where taxation of those costs has not been completed within 6 months of the institution of the taxation proceedings.