

2013 No. 451

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Civil Legal Aid (Connected Matters) Regulations 2013

Made - - - - *27th February 2013*

Laid before Parliament *5th March 2013*

Coming into force - - *1st April 2013*

The Lord Chancellor makes the following Regulations^(a) in exercise of the power conferred by paragraph 46 of Part 1 of Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012^(b).

Citation, commencement and interpretation

1. These Regulations may be cited as the Civil Legal Aid (Connected Matters) Regulations 2013 and come into force on 1st April 2013.

2. In these Regulations, “the Act” means the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Connected matters

3. For the purposes of paragraph 46(1) of Part 1 of Schedule 1 to the Act—

- (a) the prescribed civil legal services are services provided in relation to the identification of a proposed defendant or respondent; and
- (b) the prescribed circumstances are circumstances in which both of the following conditions are met—
 - (i) the individual qualifies for civil legal services described in any of paragraphs 1 to 45 of Part 1 of Schedule 1 to the Act; and
 - (ii) the services prescribed in paragraph (a) are provided in connection with the provision of services referred to in sub-paragraph (b)(i).

4. The civil legal services prescribed in regulation 3(a) are not subject to the exclusions in paragraphs 11, 13 or 14 of Part 2 of Schedule 1 to the Act.

Signed by authority of the Lord Chancellor

27th February 2013

McNally
Minister of State
Ministry of Justice

(a) Section 42(1) provides that in Part 1 of the Act “regulations” means regulations made by the Lord Chancellor.
(b) 2012 c. 10.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Paragraph 46(1) of Part 1 of Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (“the Act”) provides that prescribed civil legal services, in prescribed circumstances, may be made available in connection with the provision of services described in any other paragraph of Part 1 of Schedule 1 to the Act. Regulation 3 of these Regulations prescribes both the civil legal services and the circumstances in which they may be made available for the purpose of paragraph 46(1). The effect is that where an individual qualifies for civil legal services described in a paragraph of Part 1 of Schedule 1 to the Act (other than paragraph 46), further civil legal services in relation to the identification of a proposed defendant or respondent may be made available in connection with the provision of services described in that other paragraph.

Regulation 4 provides that certain exclusions in Part 2 of Schedule 1 to the Act do not apply, with the effect that the services described in regulation 3(a) may include services provided in relation to matters of trust law (paragraph 11), company and partnership law (paragraph 13) and business cases (paragraph 14).

An impact assessment of the effect of this instrument is annexed to the Explanatory Memorandum which is available alongside these Regulations at www.legislation.gov.uk. The impact assessment is also available from the Ministry of Justice at 102 Petty France, London, SW1H 9AJ.

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