
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 196

The Civil Legal Services (Financial)
Regulations (Northern Ireland) 2015

PART 2

DETERMINATIONS IN RESPECT OF AN
INDIVIDUAL'S FINANCIAL RESOURCES

CHAPTER 2

MAKING A DETERMINATION IN RESPECT OF
AN INDIVIDUAL'S FINANCIAL RESOURCES

Calculations

12.—(1) The assessing authority shall, subject to regulation 5—

- (a) calculate the disposable income and disposable capital of the person concerned in accordance with Chapters 3 to 5, as applicable;
- (b) calculate any contribution payable in accordance with Part 3; and
- (c) where the application is for representation (higher courts), call attention to any special circumstances affecting the manner in which any contribution is to be made under Part 3.

(2) When calculating disposable income for the purposes of regulation 6(2) or (3), the period of calculation shall be one week and, for this purpose, "income" means the total income from all sources which the person concerned received or became entitled to during or in respect of the seven days up to and including the date of their application.

(3) When calculating disposable income for the purposes of regulation 6(4), the period of calculation shall be the period of 12 months next ensuing from the date of the application for a certificate, or such other period of 12 months as the assessing authority may consider to be appropriate in the circumstances of the case.

(4) Where the assessing authority calculates that a client has disposable income or disposable capital of an amount which makes the client ineligible to receive funded services—

- (a) the supplier, in respect of advice and assistance or representation (lower courts);
- (b) the Director, in respect of representation (higher courts), and subject to regulation 13,

shall refuse the application.