

Draft Regulations laid before Parliament under section 41(6) and (7)(h) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No.

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

**The Legal Aid (Information about
Financial Resources) Regulations 2013**

Made - - - - *****
Coming into force - - *1st April 2013*

The Lord Chancellor makes the following Regulations⁽¹⁾ in exercise of the powers conferred by sections 22(3)(f), (4)(h), (5) and (8)⁽²⁾ and 41(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012⁽³⁾.

The Commissioners for Her Majesty's Revenue and Customs have agreed to the making of regulations 3 and 4 in accordance with section 22(6) of that Act.

In accordance with section 41(6) and (7)(h) of that Act, a draft of this instrument has been laid before and approved by a resolution of each House of Parliament.

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- (1) Section 42(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) provides that in Part 1 of that Act "regulations" means regulations made by the Lord Chancellor.
- (2) Section 22(8) includes a definition of "benefit status". This means, in relation to an individual, whether or not the individual is in receipt of a prescribed benefit. Paragraph (c) of the definition includes a power to prescribe cases in which "benefit status" also means the amount the individual is receiving by way of the benefit. Paragraph (d) of the definition includes a power, in relation to benefits consisting of a number of elements, to prescribe cases in which "benefit status" also means what those elements are and the amount included in respect of each element in calculating the benefit amount. Section 42(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 provides that in Part 1 of that Act "prescribed" means prescribed by regulations.
- (3) 2012 c. 10.