



# Legal Aid, Sentencing and Punishment of Offenders Act 2012

## 2012 CHAPTER 10

### PART 1

#### LEGAL AID

##### *Criminal legal aid*

#### **20 Provisional determinations**

- (1) Regulations may provide that the Director or a court may make a provisional determination that an individual qualifies under this Part for representation for the purposes of criminal proceedings where—
  - (a) the individual is involved in an investigation which may result in criminal proceedings,
  - (b) the determination is made for the purposes of criminal proceedings that may result from the investigation, and
  - (c) any prescribed conditions are met.
- (2) The regulations may, in particular, include—
  - (a) provision about the stage in an investigation at which a provisional determination may be made,
  - (b) provision about the making and withdrawal of provisional determinations, including provision equivalent to that described in section 18(4)(a) to (i) and (5),
  - (c) provision about the circumstances in which a provisional determination is to cease to be provisional, and
  - (d) provision about the circumstances in which a provisional determination is to be treated as if it were a determination made by the Director or a court in reliance on section 18 or 19.

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*Status: This is the original version (as it was originally enacted).*

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- (3) In this Part, as it applies in connection with a provisional determination made under regulations under this section as to whether an individual qualifies for representation for the purposes of criminal proceedings, references to proceedings include criminal proceedings that may result from the investigation concerned.