

1970 No. 1162

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid (Assessment of Resources) (Amendment)
Regulations 1970

Made - - - - - 29th July 1970
Laid before Parliament 10th August 1970
Coming into Operation 16th November 1970

The Lord Chancellor, in exercise of the powers conferred on him by sections 4 and 12 of the Legal Aid and Advice Act 1949(a), and with the concurrence of the Treasury, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Legal Aid (Assessment of Resources) (Amendment) Regulations 1970 and shall come into operation on 16th November 1970 and shall apply to the computation of disposable income and disposable capital where an application for a certificate has been made after that date.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(3) In these Regulations a rule referred to by number means a rule so numbered in the schedules to the Legal Aid (Assessment of Resources) Regulations 1960(c) as amended(d).

2. The following rule shall be inserted after rule 4 of Schedule 1:—

“4A. Without prejudice to the provisions of rule 5 of this Schedule there shall be disregarded £104 of the income of the person concerned.”

3. There shall be substituted for rule 12 of Schedule 1 the following rule:—

“12. Where the person concerned must or reasonably may provide for any other matter and the amount concerned is greater than the amount to be disregarded under rule 4A of this Schedule there shall be an allowance of such further amount as is just and equitable.”

4. In paragraph (2) of rule 9 of Schedule 2 (which relates to computing the value of a dwelling) there shall be substituted for the expression “£3,000” the expression “£5,000”.

Hailsham of St. Marylebone, C.

Dated 20th July 1970.

We concur,

David Howell,
Bernard Weatherill,
Two of the Lords Commissioners
of Her Majesty's Treasury.

Dated 29th July 1970.

(a) 1949 c. 51.
(c) S.I. 1960/1471 (1960 II, p. 1749).

(b) 1889 c. 63.
(d) There are no relevant amendments.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for £104 of the income of a person concerned to be disregarded, for such allowance as is just and equitable where the person concerned must or reasonably may provide for matters not the subject of specific allowances to an amount greater than £104, and increases the amount to be deducted from the value of a dwelling to £5,000.

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