
 STATUTORY INSTRUMENTS

1983 No. 470

LEGAL AID AND ADVICE, ENGLAND AND WALES

 The Legal Advice and Assistance (Amendment) (No. 2)
 Regulations 1983

<i>Made</i>	- - -	<i>24th March 1983</i>
<i>Laid before Parliament</i>		<i>8th April 1983</i>
<i>Coming into Operation</i>		<i>1st May 1983</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 2A and 20 of the Legal Aid Act 1974(a), hereby makes the following Regulations:—

1. These Regulations may be cited as the Legal Advice and Assistance (Amendment) (No. 2) Regulations 1983 and shall come into operation on 1st May 1983.

2. In these Regulations a regulation referred to by number means a regulation so numbered in the Legal Advice and Assistance Regulations (No. 2) 1980(b).

3.—(1) In regulation 17 the words “Subject to paragraph (3A) below,” shall be inserted at the beginning of paragraph (3).

(2) After paragraph (3) of regulation 17 there shall be inserted the following new paragraph—

“(3A) An application for approval shall not be granted unless it is made in respect of proceedings in respect of a child under section 1, 2(12), 15(1), 16(8), 21(2) or 21(4) of the Children and Young Persons Act 1969(c) by a solicitor acting on behalf of the parent or guardian of the child who is the subject of the proceedings and it appears to the general committee both that there is or may be a conflict, on any matter relevant to the proceedings, between the interests of the child and those of the parent or guardian, and that it is desirable to grant it in the interests of justice.”

4. In regulation 20, after the words “is already a party to proceedings,” there shall be inserted the words “or it is approved under paragraph (3A) of regulation 17 above”.

Hailsham of St. Marylebone, C.

24th March 1983.

(a) 1974 c.4, as amended by the Legal Aid Act 1979 (c.26).

(b) S.I. 1980/1898, as amended by S.I. 1982/1592.

(c) 1969 c.54.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations extend assistance by way of representation under section 2A of the Legal Aid Act 1974 to the parents or guardians of children who are the subject of care proceedings under the Children and Young Persons Act 1969.

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