
STATUTORY INSTRUMENTS

1995 No. 2034

The Church of England (Legal Aid) Rules 1995

PART I
PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Church of England (Legal Aid) Rules 1995 and shall come into force on the first day of October 1995.

Revocation

2. The following Rules made under section 3(3) and (4) of the Church of England (Legal Aid and Miscellaneous Provisions) Measure 1988(1) are hereby revoked—

- the Church of England (Legal Aid) Rules 1988(2);
- the Church of England (Legal Aid) Rules 1990(3);
- the Church of England (Legal Aid) Rules 1993(4).

Transitional

3. Nothing in these Rules shall affect any application for legal aid made before the coming into force of these Rules, and any such application shall be dealt with and determined as if these Rules had not been made.

Interpretation

4.—(1) In these Rules—

“applicant” means an applicant for legal aid;

“assisted person” means a person in respect of whom a certificate is in force and—

- (a) for the purposes of rules 22 to 26 in their application to costs incurred before notice of the discharge of a certificate is received by the solicitor, includes the person in respect of whom that certificate was issued, and
- (b) for the purposes of rules 23 to 26 in their application to costs incurred before notice of the revocation of a certificate is received by the solicitor, includes the person in respect of whom that certificate was issued;

“certificate”, except in rule 10, means a certificate issued by the Commission;

(1) 1988 No. 1.
(2) S.I.1988/1175.
(3) S.I. 1990/1438.
(4) S.I. 1993/1840.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the Commission” means the Legal Aid Commission appointed in accordance with section 1(2) of the Measure;

“costs” includes fees, charges, disbursements, expenses and remuneration;

“the Fund” means the Legal Aid Fund maintained by the General Synod in accordance with section 1(1) of the Measure;

“legal aid” has the meaning assigned to it by section 2(2) of the Measure;

“the Measure” means the Church of England (Legal Aid) Measure 1994;

“the secretary” means the secretary to the Commission;

“tribunal” means any court, commission, committee, archbishop, bishop, examiner or other tribunal or body in or before whom or which any proceedings mentioned in the first column of Schedule 1 to the Measure have been or are proposed to be taken.

(2) The Interpretation Measure 1925⁽⁵⁾ and the Interpretation Act 1978⁽⁶⁾ shall apply for the interpretation of these Rules as they apply for the interpretation of Measures passed by the General Synod.

⁽⁵⁾ 1925 No. 1.
⁽⁶⁾ 1978 c. 30.