
STATUTORY INSTRUMENTS

2012 No. 3098

The Civil Legal Aid (Procedure) Regulations 2012

PART 4

Licensed Work

Certificates

37.—(1) When the Director makes a determination that an individual qualifies for Licensed Work, the Director must—

- (a) issue a certificate recording the determination and send the certificate to the provider; and
- (b) send a copy of the certificate to the individual.

(2) A certificate issued by the Director must specify—

- (a) the name and address of—
 - (i) the individual;
 - (ii) where an application was made on behalf of a child or protected party, the person who is acting on behalf of the child or protected party; and
 - (iii) the provider;
- (b) the date of the determination;
- (c) the form of civil legal services to which the determination relates;
- (d) the matter in relation to which the civil legal services are to be available;
- (e) the proceedings to which the determination relates;
- (f) the parties to any proceedings to which the determination relates (except to the extent that the Director considers it inappropriate to name any of the parties); and
- (g) any limitation or condition to which the determination is subject.

(3) Except as provided in paragraph (4), the Director must issue a separate certificate for each—

- (a) form of civil legal services for which the individual qualifies; and
- (b) set of proceedings to which a determination relates, unless the Director decides that the proceedings are so closely connected that they should be covered by a single certificate.

(4) The Director may amend a certificate for—

- (a) family help (higher) to record a subsequent determination that the individual qualifies for legal representation in family proceedings which arose out of the dispute which was the subject of the initial determination in relation to family help (higher); or
- (b) investigative representation to record a subsequent determination that the individual qualifies for full representation in the same proceedings.

(5) The Director may amend a certificate to ensure that it accurately records a determination either—

- (a) upon the application of the individual in a form specified by the Lord Chancellor; or

- (b) of the Director's own volition.
- (6) The Director must amend a certificate to record an amendment of a limitation or condition to which the determination is subject.
- (7) When the Director amends a certificate, the Director must send—
 - (a) the amended certificate to the provider; and
 - (b) a copy of the amended certificate to the individual.
- (8) Where the Director withdraws a determination, the Director must withdraw the certificate recording that determination and notify the provider.