
STATUTORY INSTRUMENTS

2012 No. 3098

The Civil Legal Aid (Procedure) Regulations 2012

PART 8

Exceptional Cases

Review

- 69.**—(1) The individual may, in accordance with paragraph (2), apply for a review of—
- (a) a refusal to make a determination under section 10(2)(a) or 10(4)(b) of the Act;
 - (b) a determination that an individual does not qualify for the services under section 10(2)(b) or 10(4)(c) of the Act;
 - (c) an amendment of, or refusal to amend, a limitation or condition to which a determination under section 10(2)(b) or 10(4)(c) of the Act is subject; or
 - (d) a withdrawal of a determination.
- (2) Within fourteen days of receipt of a refusal, determination, amendment, or withdrawal described in paragraph (1) (a “decision”), the individual may—
- (a) apply to the Director for a review of the decision in a form specified by the Lord Chancellor; and
 - (b) include written representations supporting that application.
- (3) The Director must consider the application and any written representations and may—
- (a) confirm or amend the decision which is the subject of the review; or
 - (b) substitute a new decision.
- (4) Where the decision which is the subject of the review was the withdrawal of a determination and, following the review, the Director substitutes a determination for that withdrawal, the determination takes effect (unless the Director directs otherwise) as if the original decision had not been made.
- (5) The Director must ensure that a certificate accurately records the civil legal services for which the individual qualifies following the review (unless the services are to be provided as Controlled Work).
- (6) The Director must notify the individual and the provider or proposed provider identified in the individual’s application of the decision following the review.