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STATUTORY INSTRUMENTS

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**2013 No. 471**

**The Criminal Legal Aid (Financial Resources) Regulations 2013**

**PART 3**

**Representation**

**Assessment of resources: annual disposable income**

**21.**—(1) Where an individual's gross annual income, calculated in accordance with regulation 20, is more than £12,475 and less than £22,325, the Director must calculate the individual's annual disposable income in accordance with paragraphs (2) and (3).

(2) For the purpose of paragraph (3), the Director must calculate the gross annual income of an individual as if regulation 20(3) did not apply.

(3) The Director must deduct the following amounts from the individual's gross annual income if they are paid or payable by the individual during the period of calculation—

- (a) any income tax;
- (b) any estimated contributions under Part 1 of the 1992 Act or the 1992 (Northern Ireland) Act;
- (c) any council tax;
- (d) either—
  - (i) any annual rent or annual payment (whether of interest or capital) in respect of a mortgage debt or hereditament, in respect of the individual's only or main dwelling; or
  - (ii) the annual cost of the individual's living accommodation;
- (e) any child care costs;
- (f) the amount of any maintenance payment, provided that the Director considers such amount to be reasonable;
- (g) an amount representing cost of living expenses, being either—
  - (i) £5,676; or
  - (ii) if the individual has a partner, or a child of the individual, living as a member of their household, the amount calculated in accordance with paragraph 3 of the Schedule to these Regulations.

(4) For the purpose of paragraph (3)(d), where an individual resides in more than one dwelling, the Director must decide which dwelling is the main dwelling.