

2005 No. 500

LEGAL AID AND ADVICE

**The Legal Aid in Criminal Cases (Statement of Means)
(Amendment) Rules (Northern Ireland) 2005**

Made - - - - - *9th November 2005*

Coming into operation *5th December 2005*

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred by Article 36(3) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(a), and now vested in him(b), after consultation with the Lord Chief Justice, the Attorney General, the Crown Court Rules Committee and the Magistrates' Courts Rules Committee and with the approval of the Treasury, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Legal Aid in Criminal Cases (Statement of Means) (Amendment) Rules (Northern Ireland) 2005 and shall come into operation on 5th December 2005.

Interpretation

2. In these Rules "the principal rules" means the Legal Aid in Criminal Cases (Statement of Means) Rules (Northern Ireland) 1999(c).

Amendment to the principal rules

3. In rule 2A of the principal rules after the definition of "diversionary youth conference" there shall be added—

““civil partner” has the meaning assigned to it by section 1 of the Civil Partnership Act 2004(d).”.

4. In Form 1 in the Schedule to the principal rules, in section A (Personal Details) question 6, after the word "Divorced" there shall be added the words "Other (please specify)".

5. In Form 1 in the Schedule to the principal rules, in section E (Property and Savings) question 22, for the words "Spouse/Partner" there shall be substituted the words "Spouse/Partner/Civil Partner".

(a) S.I. 1981/228 (N.I. 8)

(b) S.I. 1982/159

(c) S.R. 1999 No. 233; to which the most recent relevant amendment was made by S.R. 2003 No. 514

(d) 2004 c. 33

Signed by authority of the Lord Chancellor

Bridget Prentice
Parliamentary Under-Secretary of State, Department for Constitutional Affairs

Dated 1st November 2005

We approve

Gillian Merron
Tom Watson
Two of the Lord's Commissioners of Her Majesty's Treasury

Dated 9th November 2005

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules amend the Legal Aid in Criminal Cases (Statement of Means) Rules (Northern Ireland) 1999 to insert a new marital status option of “Other” and to make reference to the legal status of civil partners, as created by the provisions of the Civil Partnership Act 2004, in the statement of means form which an applicant for free legal aid under Part III of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 may be required to furnish under Article 32 of that Order.

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