

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 22 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the Act”) provides that the relevant authority (in practice, the Director of Legal Aid Casework) may make an information request to the Secretary of State, a relevant Northern Ireland Department (defined in section 22(8) of the Act as the Department for Social Development in Northern Ireland or the Department of Finance and Personnel in Northern Ireland) or the Commissioners for Her Majesty’s Revenue and Customs for the purposes of facilitating a determination about an individual’s financial resources for the purpose of legal aid available under Part 1 of the Act.

A request for information under section 22 can include a request for certain information about prescribed benefits. The prescribed benefits are prescribed in regulations 5, 6 and 7 of, and the Schedule to, the Legal Aid (Information about Financial Resources) Regulations 2013 (S.I. 2013/628). Regulation 2 of these Regulations adds to the list of prescribed benefits in the Schedule to the Legal Aid (Information about Financial Resources) Regulations 2013 maternity allowance payable under section 35B of the Social Security Contributions and Benefits Act 1992 (c. 4) or section 35B of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7). An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations.