

1979 No. 351

LEGAL AID AND ADVICE, ENGLAND

The Legal Aid (Financial Conditions) Regulations 1979

Made - - - - 19th February 1979

Laid before Parliament 21st February 1979

Coming into Operation 6th April 1979

The Lord Chancellor, in exercise of the powers conferred on him by sections 6, 9 and 20 of the Legal Aid Act 1974(a), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Legal Aid (Financial Conditions) Regulations 1979 and shall come into operation on 6th April 1979.

(2) In these Regulations, unless the context otherwise requires, “the Act” means the Legal Aid Act 1974, “the 1978 Regulations” means the Legal Aid (Financial Conditions) Regulations 1978(b), and other expressions have the same meaning as in the Act.

2. For the yearly sum specified in section 6(1) of the Act, as amended by the 1978 Regulations, there shall be substituted the yearly sum of £3,600.

3. For the capital sum specified in section 6(1)(a) of the Act, as amended by the 1978 Regulations, there shall be substituted the capital sum of £2,500.

4. For the yearly sum specified in section 9(1)(a) of the Act, as amended by the 1978 Regulations, there shall be substituted the yearly sum of £1,500.

5. For the capital sum specified in section 9(1)(b) of the Act, as amended by the 1978 regulations, there shall be substituted the capital sum of £1,200.

Dated 19th February 1979.

Elwyn-Jones, C.

(a) 1974 c. 4.

(b) S.I. 1978/1571.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations increase the financial limits of eligibility for legal aid laid down in the Legal Aid Act 1974.

The income limits are increased to make legal aid available to those with disposable incomes of not more than £3,600 a year (instead of £2,600) and available without payment of a contribution to those with disposable incomes of less than £1,500 a year (instead of £815).

The capital limits are increased to make the upper limit of disposable capital, above which legal aid may be refused if it appears that the applicant could afford to proceed without legal aid, £2,500 (instead of £1,700) and the lower limit of disposable capital, below which no contribution in respect of capital may be required, £1,200 (instead of £365).

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