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STATUTORY INSTRUMENTS

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**1989 No. 338**

**The Civil Legal Aid (Assessment  
of Resources) Regulations 1989**

**Interpretation**

3.—(1) In these Regulations, unless the context otherwise requires,—

“the Act” means the Legal Aid Act 1988;

“area committee”, “Area Director” and “assessment officer” have the meanings assigned to them by the Civil Legal Aid (General) Regulations 1989(1);

“certificate” means a legal aid certificate issued in accordance with the Civil Legal Aid (General) Regulations 1989;

“child” means a person—

- (a) under the age that is for the time being the upper limit of compulsory school age within the meaning of the Education Act 1944(2); or
- (b) over the limit of compulsory school age and either receiving full-time instruction at an educational establishment or undergoing training for a trade, profession or vocation;

“contribution” and “maximum contribution” have the meanings assigned to them by the Civil Legal Aid (General) Regulations 1989;

“disposable capital” and “disposable income” have the meanings assigned to them by regulation 4;

“income” includes—

- (a) benefits,
- (b) privileges, and
- (c) any sum payable (whether voluntarily or under a court order, the terms of any instrument or otherwise) for the purpose of the maintenance of a child;

“legal aid” means representation under Part IV of the Act;

“make an assessment”, in relation to the assessment officer, means to assess the disposable income, disposable capital and maximum contribution of the person concerned;

“period of computation” means the period of 12 months next ensuing from the date of the application for a certificate, or such other period of 12 months as in the particular circumstances of any case the assessment officer may consider to be appropriate;

“person concerned” means the person—

- (a) whose disposable income and disposable capital are to be assessed or reassessed; or
- (b) whose resources are to be treated as the resources of any other person under these Regulations.

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(1) S.I.1989/339.

(2) 1944 c. 31.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(2) Any reference in these Regulations to a regulation or Schedule by number means the regulation or Schedule so numbered in these Regulations.