
STATUTORY INSTRUMENTS

1992 No. 718

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

**The Civil Legal Aid (Assessment of
Resources) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>12th March 1992</i>
<i>Laid before Parliament</i>		<i>12th March 1992</i>
<i>Coming into force</i>	- -	<i>6th April 1992</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 34 and 43 of the Legal Aid Act 1988(1) and with the consent of the Treasury, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Civil Legal Aid (Assessment of Resources) (Amendment) Regulations 1992 and shall come into force on 6th April 1992.

2. Save as is otherwise provided, in these Regulations a regulation or Schedule referred to by number means a regulation or Schedule so numbered in the Civil Legal Aid (Assessment of Resources) Regulations 1989(2).

3.—(1) Subject to paragraph (2), these Regulations shall apply any assessment or reassessment of resources under the Civil Legal Aid (Assessment of Resources) Regulations 1989 where the period of computation begins on or after 6th April 1992 and the provisions of those Regulations shall apply to any assessment or reassessment in which the period of computation begins before that date as if these Regulations had never been made.

(2) Regulation 5 of these Regulations shall apply to all assessments and reassessments made on or after 6th April 1992.

(3) In this regulation “period of computation” has the meaning assigned by regulation 3.

4. In regulation 4—

(a) in paragraph (2) for the figures “£6,350” and “£6,310” there shall be substituted the figures “£6,800” and £6,75” respectively;

(1) 1988 c. 34; section 34 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 63. Section 43 is an interpretation provision and is cited because of the meaning assigned to the word “regulations”.

(2) S.I. 1989/338 as amended by S.I. 1990/484 and S.I. 1991/635.

Status: This is the original version (as it was originally made).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

(b) in paragraph (3) for the figures “£7,000” and “£8,000” there shall be substituted the figures “£7,500” and “£8,560” respectively;

(c) in paragraph (4)(a) for the figure “£2,860” there shall be substituted the figure “£3,060”.

5. For sub-paragraph (b) of paragraph 6 of Schedule 2 there shall be substituted the following new sub-paragraph—

“(b) disability living allowance paid under section 37ZA of the Social Security Act 1975(3);”.

6. For the table in paragraph 14A of Schedule 3 there shall be substituted the following new table:—

<i>annual disposable income (excluding net income derived from capital)</i>	<i>amount of capital disregard</i>
up to £350	£35,000
£351—800	£30,000
£801—1,200	£25,000
£1,201—1,600	£20,000
£1,601—2,050	£15,000
£2,051—2,450	£10,000
£2,451 and above	£5,000

Dated 11th March 1992.

Mackay of Clashfern, C.

We consent,

*Thomas Sackville
Irvine Patnick*

Two of the Lords Commissioners of Her Majesty’s Treasury

Dated 12th March 1992

(3) 1975 c. 14; section 37ZA was inserted by section 1 of the Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend the Civil Legal Aid (Assessment of Resources) Regulations 1989 by increasing (1) the free limit and eligibility limit of disposable income for civil legal aid, (2) the eligibility limit for disposable capital and (3) the amount of extra capital disregard which is available to pensioners on low incomes. There is also an amendment to allow for the disregard of any disability living allowance which the person being assessed or his spouse might receive.