
STATUTORY INSTRUMENTS

1997 No. 1731

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

**The Legal Advice and Assistance (Scope)
(Amendment) (No. 2) Regulations 1997**

Made - - - - *18th July 1997*
Coming into force - - *19th July 1997*

The Lord Chancellor, in exercise of the powers conferred on him by sections 8 and 43 of the Legal Aid Act 1988(1), hereby makes the following Regulations of which a draft has, in accordance with section 36(3)(b) of that Act, been laid before and approved by resolution of each House of Parliament:—

Citation and commencement

1. These Regulations may be cited as the Legal Advice and Assistance (Scope) (Amendment) (No. 2) Regulations 1997 and shall come into force on the day following that on which they are made.

Interpretation

2. In these Regulations a reference to any regulation by number alone means the regulation so numbered in the Legal Advice and Assistance (Scope) Regulations 1989(2), and a reference to the Arrangement of Regulations means the Arrangement of Regulations at the beginning of those regulations.

Amendments to the Legal Advice and Assistance (Scope) Regulations 1989

3. In the Arrangement of Regulations, after the entry relating to regulation 4 there shall be inserted:—

“4A. Services under contracts and grants.”

4. After regulation 4 there shall be inserted the following:—

(1) 1988 c. 34; section 43 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraphs 60. Section 43 is an interpretation provision and is cited because of the meaning given to “regulations”.

(2) S.I.1989/550; there are no relevant amendments.

“Services under contracts and grants

4A.—(1) Advice and assistance provided under a contract or grant to which this regulation applies are excluded from Part III of the Act.

- (2) This regulation applies to any contract or grant under Part II of the Act which—
- (a) secures the provision of advice and assistance under Part II of the Act, and
 - (b) does not relate to the provision of advice, assistance or representation under any other Part of the Act.”.

Dated 18th July 1997

Irvine of Lairg, C.

Status: *This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Advice and Assistance (Scope) Regulations so as to exclude advice and assistance provided by solicitors and advice agencies under pilot schemes within Part II of the Legal Aid Act 1988 from the provisions of Part III of that Act. It does not affect Green Form advice or ABWOR provided by franchisees.