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STATUTORY INSTRUMENTS

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**2008 No. 1879**

**The Employment and Support Allowance  
(Consequential Provisions) (No. 3) Regulations 2008**

**PART 8**

**Courts and Tribunals**

**Amendment of the Community Legal Service (Financial) Regulations 2000**

**13.** In regulation 4(2) of the Community Legal Service (Financial) Regulations 2000<sup>(1)</sup> (eligibility, assessment, contributions)—

(a) after sub-paragraph (b) omit “, or”; and

(b) after sub-paragraph (c) insert—

“; or

(d) income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007.”.

**Amendment of the Criminal Defence Service (General) (No 2) Regulations 2001**

**14.—**(1) The Criminal Defence Service (General) (No 2) Regulations 2001<sup>(2)</sup> are amended as follows.

(2) In regulation 2 (interpretation) after the definition of “funded services” insert—

““income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act 2007 (employment and support allowance);”;

(3) In regulation 5 (advice and assistance - financial eligibility)—

(a) in paragraph (8)—

(i) in sub-paragraph (d) omit “and”; and

(ii) after sub-paragraph (e) insert—

“and

(f) income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007.”; and

(b) in paragraph (9) for “or guarantee state pension credit” substitute “guarantee state pension credit or income-related employment and support allowance”.

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(1) [S.I. 2000/516](#). Regulation 4 was substituted by [S.I. 2001/3663](#) and paragraph (2) was substituted by [S.I.2005/589](#).

(2) [S.I. 2001/1437](#). Regulation 5 was amended by [S.I. 2003/644](#), [2003/2378](#) and [2006/2490](#).

### **Amendment of the Leasehold Valuation Tribunals (Fees) (England) Regulations 2003**

**15.** In regulation 8(1) of the Leasehold Valuation Tribunals (Fees) (England) Regulations 2003<sup>(3)</sup> (waiver and reduction of fees)—

(a) after sub-paragraph (d) omit “or”; and

(b) after sub-paragraph (e) add—

“or

(f) an income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007.”.

### **Amendment of the Gender Recognition (Application Fees) Order 2006**

**16.** In regulation 5 of the Gender Recognition (Application Fees) Order 2006<sup>(4)</sup> (definition of qualifying benefit) after sub-paragraph (d) add—

“(e) income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007.”.

### **Amendment of the Residential Property Tribunal (Fees) (England) Regulations 2006**

**17.** In regulation 5(2) of the Residential Property Tribunal (Fees) (England) Regulations 2006<sup>(5)</sup> (liability to pay fee and waiver of fees) after sub-paragraph (d) add—

“(e) income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007.”.

### **Amendment of the Criminal Defence Service (Financial Eligibility) Regulations 2006**

**18.** In regulation 5(4) of the Criminal Defence Service (Financial Eligibility) Regulations 2006<sup>(6)</sup> (assessment by representation authority) after sub-paragraph (c) add—

“(d) income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007.”.

### **Amendment of the Gambling Appeals Tribunal Fees Regulations 2006**

**19.** In regulation 3(2) of the Gambling Appeals Tribunal Fees Regulations 2006<sup>(7)</sup> (exemptions, reductions, waivers and refunds) after sub-paragraph (d) add—

“(e) income-related employment and support allowance payable under Part 1 of the Welfare Reform Act 2007.”.

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(3) S.I. 2003/2098.  
(4) S.I. 2006/758.  
(5) S.I. 2006/830.  
(6) S.I. 2006/2492.  
(7) S.I. 2006/3287.