
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013 (“the Regulations”) make provision about the rules the Director must apply to determine whether an individual’s financial resources are such that the individual is eligible for civil legal services under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the Act”).

Part 1 of the Regulations sets out general interpretation matters. It provides a general delegation power to enable functions of the Director under these Regulations to be exercisable by, or by employees of, a person authorised by the Director.

Chapter 1 of Part 2 sets out the general rules for making a determination about an individual’s financial resources. It also provides for the exceptions to the rule that the Director must determine whether an individual’s financial resources are such that the individual is eligible for civil legal services. The Chapter prescribes the eligibility limits for disposable income, disposable capital and gross income, and the cases in which it is possible to waive these limits.

Chapter 2 of Part 2 sets out the process for making a determination in respect of an individual’s financial resources, including the requirement for the individual whose eligibility is being determined to provide information, the calculations which the Director must undertake, and the powers to amend determinations or make further determinations in the light of new information.

Chapters 3 and 4 of Part 2 set out the rules for calculating income and capital.

Part 3 sets out the requirements for paying contributions towards the cost of civil legal services.