
STATUTORY INSTRUMENTS

2013 No. 480

**The Civil Legal Aid (Financial Resources
and Payment for Services) Regulations 2013**

PART 2

Determinations in respect of an individual's financial resources

CHAPTER 2

Making a determination in respect of an individual's financial resources

Resources to be treated as the individual's resources

16.—(1) Subject to paragraph (2), in calculating the disposable income and disposable capital of the individual, the resources of the individual's partner must be treated as the individual's resources.

(2) The resources of the individual's partner must not be treated as the individual's resources if the individual has a contrary interest in the dispute in respect of which the application is made.

(3) Paragraph (4) applies where an application is made for any form of civil legal services except legal representation [^{F1}or family help (higher)].

(4) Where the individual is a child, the resources of a parent, guardian or any other person who is responsible for maintaining the child, or who usually contributes substantially to the child's maintenance, must be treated as the child's resources, unless, having regard to all the circumstances, including the age and resources of the child and any conflict of interest, it appears inequitable to do so.

(5) Where it appears to the Director that—

- (a) another person is, has been or is likely to be substantially maintaining the individual or any person whose resources are to be treated as the individual's resources under this regulation; or
- (b) any of the resources of another person have been or are likely to be made available to the individual or any person whose resources are to be treated as the individual's resources under this regulation,

the Director may treat all or any part of the resources of that other person as the resources of the individual, and may assess or estimate the value of those resources as well as the Director is able.

(6) A reference to “individual” in regulations 21 to 36 and 40 to 43 is a reference to—

- (a) the individual in respect of whom the determination about financial resources is being made; and
- (b) any person whose resources are to be treated as the individual's resources under this regulation.

^{F2}(7)

Changes to legislation: The Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013, Section 16 is up to date with all changes known to be in force on or before 16 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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Textual Amendments

- F1** Words in [reg. 16\(3\)](#) substituted (3.8.2023) by [The Criminal and Civil Legal Aid \(Amendment\) Regulations 2023 \(S.I. 2023/745\)](#), regs. 1(2), **3(4)(a)** (with [reg. 6](#))
- F2** [Reg. 16\(7\)](#) omitted (3.8.2023) by virtue of [The Criminal and Civil Legal Aid \(Amendment\) Regulations 2023 \(S.I. 2023/745\)](#), regs. 1(2), **3(4)(b)** (with [reg. 6](#))

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- of Contents words inserted by [S.I. 2015/1416 reg. 6\(2\)](#) (This amendment not applied to legislation.gov.uk. The table of contents for this legislation will be dynamically updated when its provisions are revised)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 5(1)(s) word inserted by [S.I. 2023/1177 reg. 2\(3\)](#)
- reg. 5(1)(t) inserted by [S.I. 2023/1177 reg. 2\(4\)](#)
- reg. 5(1)(ma) reg. 5(1)(m) renumbered as reg. 5(1)(ma) by [S.I. 2023/745 reg. 3\(2\)\(a\)](#)