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## STATUTORY INSTRUMENTS

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### 2013 No. 503

## The Civil Legal Aid (Statutory Charge) Regulations 2013

### PART 3

#### ENFORCEMENT OF THE STATUTORY CHARGE

##### Further provision about postponement

**23.**—(1) Regulation 15(1)(c) does not apply where the Lord Chancellor postpones the enforcement of the statutory charge under regulation 22.

(2) Paragraphs (3) to (6) apply where the Lord Chancellor postpones the enforcement of the statutory charge under regulation 22.

(3) The provider may release the purchase money to the seller or the seller's representative on completion of the purchase of the purchased property and must as soon as possible provide the Lord Chancellor with sufficient information to enable the Lord Chancellor to take the steps described in regulation 22(2).

(4) The provider may release the purchase money to a conveyancer acting for the legally aided party in the purchase of the purchased property if the provider is satisfied that adequate steps have been, or will be, taken to protect the Lord Chancellor's interests.

(5) The steps referred to in paragraph (4) must include the securing of an undertaking from the conveyancer to—

- (a) provide the information referred to in paragraph (3); and
- (b) repay the purchase money under paragraph (6).

(6) Where the purchase of the purchased property has not been completed within 12 months after the date of the Lord Chancellor's decision to postpone enforcement of the statutory charge, or such longer period as the Lord Chancellor considers reasonable, regulation 15(1)(c) applies and the purchase money must be paid to the Lord Chancellor.

(7) In this regulation—

- (a) “conveyancer” means a person who lawfully provides conveyancing services;
- (b) “purchase money” means money recovered or preserved by a legally aided party in the circumstances described in regulation 22(1)(a)(ii); and
- (c) “purchased property” means the property purchased or to be purchased with the purchase money.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Legal Aid (Statutory Charge) Regulations 2013, Section 23.