

This Statutory Instrument has been made as a consequence of a defect in S.I. 2015/838 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2015 No. 1408

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

The Legal Aid (Information about Financial Resources) (Amendment) Regulations 2015

<i>Made</i>	- - - -	<i>23rd June 2015</i>
<i>Laid before Parliament</i>		<i>25th June 2015</i>
<i>Coming into force</i>	- -	<i>26th June 2015</i>

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by sections 22(3)(f) and 41(1)(b) and (3)(c) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(1).

Citation and commencement

1. These Regulations may be cited as the Legal Aid (Information about Financial Resources) (Amendment) Regulations 2015 and come into force on 26th June 2015.

Amendment of the Legal Aid (Information about Financial Resources) Regulations 2013

2. In paragraph 23 of the Schedule to the Legal Aid (Information about Financial Resources) Regulations 2013(2), omit “section 17A of the Children Act 1989(3), section 49(3) of the Children and Families Act 2014(4) (personal budgets and direct payments),”.

(1) 2012 c. 10. Section 42(1) provides that in Part 1 of that Act “prescribed” means prescribed by regulations and “regulations” mean regulations made by the Lord Chancellor (except in Schedule 6).
(2) S.I. 2013/628. Paragraph 23 of the Schedule was purportedly amended by S.I. 2015/838. That amendment was made using the incorrect Parliamentary procedure.
(3) 1989 c. 41; section 17A was inserted by section 58 of the Health and Social Care Act 2001 (c. 15). There are amendments to section 17A but none is relevant to these Regulations.
(4) 2014 c. 6.

Status: This is the original version (as it was originally made).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

Partial revocation of the Legal Aid, Community Legal Service and Criminal Defence Service (Amendment) Regulations 2015

3. Regulation 11 of the Legal Aid, Community Legal Service and Criminal Defence Service (Amendment) Regulations 2015(5) is revoked.

23rd June 2015

Shailesh Vara
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke regulation 11 of the Legal Aid, Community Legal Service and Criminal Defence Service (Amendment) Regulations 2015 (S.I. 2015/838) (“the amending Regulations”) and omits the amendment it purported to make to the Legal Aid (Information about Financial Resources) Regulations 2013 (S.I. 2013/628) (“the Financial Resources Regulations”). The Financial Resources Regulations are made under section 22 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the Act”). By virtue of section 41(7) of the Act, a statutory instrument which contains regulations made under section 22 of the Act may not be made unless a draft of the instrument has been laid before, and approved by, a resolution of, each House of Parliament. The amending Regulations, by reason of the inclusion of regulation 11, did not comply with section 41(7) of the Act. To address this procedural error, these Regulations revoke regulation 11 of the amending Regulations and omit the words regulation 11 purported to insert in the Financial Resources Regulations.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.