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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

This instrument amends regulations made under the Access to Justice Act 1999 (c. 22) (“the 1999 Act”) and the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“the 2012 Act”) which deal with an individual’s financial eligibility for criminal and civil legal aid and for the liability of an individual to pay a contribution towards the cost of services received. The amendments reflect changes to the benefits system made by the Welfare Reform Act 2012 (c. 5) and the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)), which introduced universal credit in England and Wales, and Northern Ireland, respectively.

This instrument adds universal credit in England and Wales and Northern Ireland to the list of qualifying benefits in regulations made under the 2012 Act. The effect of that amendment is that a person who is in receipt of universal credit will be financially eligible for legal aid without making any contributions. It also adds payments on account of benefit, personal independence payments, transfer advances for universal credit and payments made by or under the Welsh Independent Living Grant to the list of income payments to be disregarded for the purposes of income calculation tests relating to legal aid under the 2012 Act.

This instrument makes similar changes to regulations made under the 1999 Act, which governs cases that pre-date the coming into force of the 2012 Act.

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