
STATUTORY INSTRUMENTS

2019 No. 130

**The Civil Legal Aid (Procedure)
(Amendment) Regulations 2019**

Amendment of the 2012 Regulations

2.—(1) The 2012 Regulations are amended as follows.

(2) In regulation 35 (determinations: general)—

(a) in paragraph (1)(a), after “determination relates” insert “(“the services”);”;

(b) after paragraph (2) insert—

“(3) If the requirements in paragraph (4) are met, the Director may specify that a determination has effect from a date earlier than the date of the determination.

(4) The requirements are that—

(a) the application for the services was made as soon as reasonably practicable;

(b) the Director is satisfied that—

(i) it was in the interests of justice for the services to be carried out prior to the date of the determination; and

(ii) the services could not have been carried out as Controlled Work; and

(c) in the case of reconsidering a determination on review or following an appeal, having regard to all the circumstances, including the information that was available to the provider when the application for the services or the application for the review was made, the Director is satisfied that it is appropriate for the determination to have effect from the earlier date.

(5) In paragraphs (3) and (4), “determination” includes a limitation or condition.”.

(3) In regulation 37 (certificates), in paragraph (2)(b), after “determination” insert “and, if different, the date on which the determination had effect”.