
STATUTORY INSTRUMENTS

2023 No. 45

The Civil Legal Aid (Financial Resources and Payment for Services) (Amendment) Regulations 2023

Transitional provisions

3.—(1) Paragraph (2) applies to an application for civil legal services that is made before the relevant date and has yet to be determined and has not been withdrawn on the relevant date.

(2) Where this paragraph applies, an application is to be treated on and after the relevant date as an application falling under the 2013 Regulations as amended by these Regulations.

(3) Paragraph (4) applies to an application for civil legal services that was determined before the relevant date but to which regulation 5(1)(o), (p), (q) or (r) would have applied had it been determined on or after that date.

(4) Where this paragraph applies, the applicant is not liable for any contributions payable under section 23 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 on or after the relevant date for legal services relating to that application.

(5) For the purposes of this regulation, an application for civil legal services is made on the date that it is—

- (a) submitted to the Client and Cost Management System; or
- (b) received by the Director.

(6) In this regulation—

“the 2013 Regulations” means the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013;

“approved prospective adoptive parent” means an individual who has received notification from a local authority or an adoption agency that they have decided to approve the prospective adopter as suitable to adopt a child, in accordance with the Adoption Agencies Regulations 2005⁽¹⁾ or the Adoption Agencies (Wales) Regulations 2005;

“child who is looked after by a local authority” has the meaning set out in section 22 of the Children Act 1989⁽²⁾ and section 74 of the Social Services and Well-being (Wales) Act 2014;

“Client and Cost Management System” means the system used by the Director to manage applications for civil legal services;

“foster parent” means a local authority foster parent as defined in section 105(1) of the Children Act 1989;

“the relevant date” means the date on which these Regulations come into force;

“staying put arrangement” has the meaning in section 23CZA of the Children Act 1989.

(1) S.I. 2005/389, there are amending instruments but none are relevant.

(2) 1989 c. 10

Status: Point in time view as at 10/02/2023. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Civil Legal Aid (Financial Resources and Payment for Services) (Amendment) Regulations 2023, Section 3. (See end of Document for details)

Commencement Information

II Reg. 3 in force at 10.2.2023, see [reg. 1\(1\)](#)

Status:

Point in time view as at 10/02/2023. This version of this provision has been superseded.

Changes to legislation:

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