STATUTORY INSTRUMENTS

2017 No. 53

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Civil Legal Aid (Procedure) (Amendment) Regulations 2017

Made - - - - *25th January 2017*

Laid before Parliament *26th January 2017*

Coming into force in accordance with regulation 1

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by sections 12(2) and (3)(a) and (e), 41(1)(b) and 41(3)(a) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(**1**).

Citation and commencement

1. These regulations may be cited as the Civil Legal Aid (Procedure) (Amendment) Regulations 2017 and come into force on the day after the day on which these Regulations are laid before Parliament.

Amendments to the Civil Legal Aid (Procedure) Regulations 2012

2.—(1) The Civil Legal Aid (Procedure) Regulations 2012(**2**) are amended as follows.

(2) In regulation 23(1)(d) (the application), after "the subject of the application" insert "(unless the Director has waived this requirement under paragraph (1A))".

(3) After regulation 23(1), insert—

"(1A) The Director may waive the requirement in regulation 23(1)(d) if—

(a) the application is for civil legal services described in paragraph 41 of Part 1 of Schedule 1 to the Act in the form of legal help;

(b) the Director has determined that civil legal services in the same matter are to be made available to the individual under section 10 of the Act, and

(c) the effective administration of justice test is satisfied.

(**1**) 2012 c. 10. Section 42(1) provides that in Part 1 of that Act "regulations" means regulations made by the Lord Chancellor.
(**2**) S.I. 2012/3098; relevant amending instruments are S.I. 2014/1824 and 2015/1678.