1986 No. 346

LEGAL AID AND ADVICE

Legal Aid (General) (Amendment) (No. 2) Regulations (Northern Ireland) 1986

Made . . . . . 25th November 1986

Coming into operation . . . 1st January 1987

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred by Article 22(1) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(**a**) and now vested in him(**b**), hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Legal Aid (General) (Amendment) (No. 2) Regulations (Northern Ireland) 1986 and shall come into operation on 1st January 1987.

Amendment of general regulations

2. After Regulation 3A of the Legal Aid (General) Regulations (Northern Ireland) 1965(**c**) there shall be inserted the following new regulation—

"*Registration of certain Foreign orders and judgments*

3B.—(1) Subject to paragraph (2) a person who appeals to a magistrates' court against the registration of or the refusal to register a maintenance order made in a Hague Convention Country pursuant to the provisions of the Maintenance Orders (Reciprocal Enforcement) Act 1972(**d**) or who applies for the registration of a judgment under section 4 of the Civil Jurisdiction and Judgments Act 1982(**e**)—

(*a*) shall be eligible to receive legal aid whether or not his disposable income and capital exceed the sums specified in Article 9 of the 1981 Order;

(*b*) shall not be refused legal aid by virtue of paragraphs (4) and (5) of Article 10 of the 1981 Order; and

(*c*) shall not be required to pay a contribution to the legal aid fund under Article 12 of the 1981 Order,

and these Regulations (with the exception of those provisions relating to determination of disposable income and capital, eligibility on the merits and assessment of payable contributions) shall apply accordingly.

(2) A person shall not be given legal aid under paragraph (1) unless he benefited from complete or partial legal aid or exemption from costs or expenses in the country in which the maintenance order was made or the judgment was given.

(**a**) S.I. 1981/288 (N.I. 8) as amended by section 40(3) of the Civil Jurisdiction and Judgments Act 1982 (c.27)
(**b**) S.I. 1982/159
(**c**) S.R. & O. (N.I.) 1965 No. 217; Regulation 3A was inserted by S.R. 1986 No. 210
(**d**) 1972 c. 18
(**e**) 1982 c. 27