1986 No. 210

LEGAL AID AND ADVICE

Legal Aid (General) (Amendment) Regulations (Northern Ireland) 1986

Made	*4th July 1986*
Coming into operation . . .	*1st August 1986*
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) Regulations (Northern Ireland) 1986 and shall come into operation on 1st August 1986.

Amendment of General Regulations

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

"*Child Abduction and Custody Act, 1985*

3A.—(1) A person whose application under the Hague Convention or the European Convention has been submitted to the Central Authority in Northern Ireland pursuant to section 3(2) or section 14(2) of the Child Abduction and Custody Act 1985 and on whose behalf a solicitor in Northern Ireland has been instructed in connection with the application—

(*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 contribution) shall apply accordingly.

(2) In this Regulation "the Hague Convention" means the convention defined in section 1(1) of the Child Abduction and Custody Act 1985; "The European Convention" means the convention defined in section 12(1) of that Act and "the 1981 Order" means the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.".

Dated 4th July 1986 *Hailsham of St. Marylebone, C.*

(**a**) S.I. 1981/228 (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