1979 No. 248

LEGAL AID

Legal Aid (General) (Amendment) Regulations (Northern Ireland) 1979

Made	3*rd July* 1979
Coming into operation . . .	10*th August* 1979
To be laid before Parliament	

The Secretary of State, in pursuance of section 14 of the Legal Aid and Advice Act (Northern Ireland) 1965(a) hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Legal Aid (General) (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 10th August 1979.

Amendment of regulation 5 of the 1965 regulations

2. For paragraph (5) of regulation 5 of the Legal Aid (General) Regulations (Northern Ireland) 1965(b) there shall be substituted the following paragraph:—

"(5) Subject to the provisions of regulation 11—

(*a*) an application for a certificate in respect of proceedings shall be considered by the secretary to the appropriate committee who, after having regard to the determination made by the Commission of the applicant's disposable income and disposable capital, and the maximum contribution payable by him or the terms of any undertaking lodged by him under regulation 6(12) may (save in the circumstances mentioned in paragraph (8)) approve the application on behalf of the committee; and in every case in which the secretary does not approve the application he shall refer the application to the appropriate committee for their consideration and approval or refusal;

(*b*) an application for a certificate in respect of proceedings which has been referred to the appropriate committee by the secretary shall be considered by the committee, and they may approve or refuse it after having regard to the determination by the Commission of the disposable income and disposable capital of the applicant and the maximum contribution payable by him and, in the case of an application for a certificate in respect of authorised summary proceedings, the terms of any undertaking lodged by him under the provisions of regulation 6(12).".

Humphrey Atkins
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
3rd July 1979

(a) 1965 c. 8 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(b) S.R. & O. (N.I.) 1965 No. 217 (p. 902) as amended by S.R. & O. (N.I.) 1969 No. 132 (p. 499) and S.R. 1974 No. 126 (I, p. 432)