1978 No. 363

LEGAL AID AND ADVICE

Legal Aid (Financial Conditions) Regulations (Northern Ireland) 1978

Made . . . . . 30*th November* 1978
Coming into operation . . . 29*th December* 1978
To be laid before Parliament

The Secretary of State in pursuance of sections 2 and 3 of the Legal Aid and Advice Act (Northern Ireland) 1965(a) hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Legal Aid (Financial Conditions) Regulations (Northern Ireland) 1978 and shall come into operation on 29th December 1978.

(2) In these regulations:—

"the Act" means the Legal Aid and Advice Act (Northern Ireland) 1965;

"the 1977 Regulations" means the Legal Aid (Financial Conditions) Regulations (Northern Ireland) 1977(b).

Disposable income for the purposes of, and limit of disposable capital under, Section 2 of the Act

2.—(1) Subject to the provisions of section 2(1) of the Act, legal aid shall be available to any person whose disposable income does not exceed £2,600 a year, instead of the amount prescribed under that subsection by regulation 2(1) of the 1977 regulations.

(2) For the purposes of section 2(1) of the Act, a person may be refused legal aid if he has a disposable capital of more than £1,700 instead of the amount prescribed by regulation 2(2) of the 1977 regulations.

Contribution to the Legal Aid Fund

3.—(1) A person's contribution to the Legal Aid Fund in respect of any proceedings may include a contribution in respect of income not greater than one-third of the amount (if any) by which his disposable income exceeds £815 a year instead of the amount prescribed under section 3(1)(*a*) of the Act by regulation 3(1) of the 1977 regulations.

(2) For the purposes of section 3(1)(*b*) of the Act a person's contribution to the Legal Aid Fund may include a contribution in respect of capital not greater than the amount (if any) by which his disposable capital exceeds £365 instead of the amount prescribed by regulation 3(2) of the 1977 regulations.

Roy Mason
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
30th November 1978

(a) 1965 c. 8 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541) and amended by S.I. 1977/1252 (N.I. 19)
(b) S.R. 1977 No. 309 (II, p. 1671)