1978 No. 191

LEGAL AID AND ADVICE

Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 1978

Made . . . . . 19*th July* 1978

Coming into operation . . . 1*st September* 1978

To be laid before Parliament

The Secretary of State in pursuance of section 4 of the Legal Aid and Advice Act (Northern Ireland) 1965(**a**) and with the concurrence of the Treasury(**b**) hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 1978, shall come into operation on 1st September 1978 and shall apply to the computation, for the purposes of section 4(1) of the Legal Aid and Advice Act (Northern Ireland) 1965, of the rate of income and the amount of capital of a person applying for legal aid after that date.

(2) In these regulations a regulation or schedule referred to by number means a regulation or schedule so numbered in the Legal Aid (Assessment of Resources) Regulations (Northern Ireland) 1965(**c**).

Amendment to the Principal Regulations

2. In regulation 8, for the amounts £52, £26 and £75 there shall be substituted the amounts £156, £78 and £120 respectively.

Amendment to Schedule 1 *to the Principal Regulations*

3. The following rule shall be added after rule 5 in Schedule 1—

"**5A.** There shall be disregarded—

(*a*) attendance allowance paid under the Social Security (Northern Ireland) Act 1975(**d**);

(*b*) mobility allowance paid under the Social Security Pensions (Northern Ireland) Order 1975(**e**).".

Amendment to Schedule 2 *to the Principal Regulations*

4.—(1) For rule 9 in Schedule 2 there shall be substituted the following rule:—

"**9.**—(1) In computing the amount of capital of the person concerned, the value of any interest in the main or only dwelling in which he resides shall be wholly disregarded.

(**a**) 1965 c. 8 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(**b**) Formerly the Ministry of Finance for Northern Ireland: *see* S.I. 1973/2163 (1973 III, p. 7541)
(**c**) S.R. & O. (N.I.) 1965 No. 218 (p. 937), as amended by S.R. & O. (N.I.) 1971 No. 115 (p. 577) and S.R. & O. (N.I.) 1972 No. 337 (p. 1685)
(**d**) 1975 c. 15
(**e**) S.I. 1975/1503 (N.I. 15)