1972. No. 337 **[C]**

LEGAL AID

Assessment of Resources

REGULATIONS, DATED 4TH DECEMBER 1972, MADE BY THE MINISTRY OF HOME AFFAIRS, WITH THE CONCURRENCE OF THE MINISTRY OF FINANCE, UNDER SECTIONS 4 AND 14 OF THE LEGAL AID AND ADVICE ACT (NORTHERN IRELAND) 1965.

The Ministry of Home Affairs, with the concurrence of the Ministry of Finance, on behalf of the Secretary of State, in exercise of the powers conferred by sections 4 and 14 of the Legal Aid and Advice Act (Northern Ireland) 1965(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Legal Aid (Assessment of Resources) (Amendment) Regulations (Northern Ireland) 1972 and shall come into operation on 18th December 1972.

Interpretation

2. In these regulations a regulation referred to by number means a regulation so numbered in the Legal Aid (Assessment of Resources) Regulations (Northern Ireland) 1965(b) and a rule referred to by number means a rule so numbered in the schedules to those regulations.

Amendment of Principal Regulations

3.—(1) In regulation 1 (which relates, among other things, to the interpretation of expressions used in the regulations) in the definition of "income" for the words "does not include" there shall be substituted the words "includes any sum payable for the purpose of the maintenance of an infant including" and for the words "for the purpose of the maintenance of an infant" there shall be substituted the words "for that purpose".

(2) In regulation 3 (which relates to the resources of a spouse) sub-paragraph (2)(iii) and the word "or" in sub-paragraph (2)(ii) shall be omitted.

(3) The following paragraph shall be substituted for paragraph (1) of regulation 4 (which relates to resources of an infant applicant):—

"(1) Where an application for a certificate is made by or on behalf of an infant who is under the upper limit of compulsory school age, there shall, save in exceptional circumstances, in addition to the resources of the infant, be taken into account the resources of any person liable to maintain the infant under section 23 of the Supplementary Benefits &c. Act (Northern Ireland) 1966(c) and any person having care and control of the infant, not being a person having such care and control by reason of any contract or for some temporary purpose."

(a) 1965. c. 8 (N.I.).
(b) S.R. & O. (N.I.) 1965, No. 218.
(c) 1966. c. 28 (N.I.).