

STATUTORY INSTRUMENTS

1981 No. 228

Legal Aid, Advice and Assistance (Northern Ireland) Order 1981

[^{F1}PART II

LEGAL ADVICE AND ASSISTANCE, AND LEGAL AID OTHER THAN FREE LEGAL AID AVAILABLE UNDER PART III

[^{F1}Administration and finance

F1 Pt. 2 (to the extent that it remains in operation) repealed (1.4.2015) by [Access to Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), arts. 1(2), 49(5), **Sch. 5** (with transitional provisions and savings in art. 48, Sch. 3); S.R. 2015/194, art. 2, **Sch.** (with transitional provisions and savings in art. 3)

Functions of Law Society

Paras. (1)#(7) rep. by 2003 NI 10

(8) The Law Society shall as soon as possible after the end of each financial year make an annual report to the [^{F2} Lord Chancellor] on the operation and finance of this Part during that year.

(9) The [^{F2} Lord Chancellor] shall lay before Parliament a copy of each report of the Law Society.

F2 SI 1982/159

Art. 19 rep. by 2003 NI 10

Accounts and audit

20.—(1) The Law Society shall keep such accounts with respect to the legal aid fund as the [^{F3} Lord Chancellor] may with the approval of the Treasury direct, and shall prepare in respect of each financial year a statement of accounts in such form as may be so directed.

(2) The accounts shall be audited by persons to be appointed in respect of each financial year by the [^{F3} Lord Chancellor] and in accordance with a scheme of audit approved by the [^{F3} Lord Chancellor], and the auditors shall be furnished by the Law Society with copies of the said statement and shall report to the [^{F3} Lord Chancellor] on the accounts and the said statement.

[^{F4}(3) A person shall not be appointed as an auditor in pursuance of paragraph (2) unless he is eligible for appointment as a [^{F5}statutory auditor under Part 42 of the Companies Act 2006].]

(4) As soon as the accounts have been audited, the auditors shall send to the [^{F3} Lord Chancellor] copies of the statement of accounts and of their report, and the [^{F3} Lord Chancellor] shall send a copy of the statement and of the report to the Comptroller and Auditor-General.

(5) The Comptroller and Auditor-General—

Changes to legislation: *Legal Aid, Advice and Assistance (Northern Ireland) Order 1981, Administration and finance is up to date with all changes known to be in force on or before 18 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) shall examine every statement and report sent to him under paragraph (4);
- (b) may inspect the accounts kept with respect to the legal aid fund and any records relating thereto; and
- (c) shall certify every such statement and lay a copy of it together with his report thereon before Parliament.

F3	SI 1982/159
F4	SR 1993/67
F5	Words in art. 20(3) substituted (6.4.2008) by Companies Act 2006 (Consequential Amendments etc) Order 2008 (S.I. 2008/948) , arts. 2(2), 3(1)(a), Sch. 1 para. 2(c) (with arts. 6, 11, 12)

Pension rights of employees

21.—(1) The Law Society shall, with the approval of the^[F6] Lord Chancellor], make arrangements for the provision of pensions, allowances or gratuities to or in respect of persons employed by the Society whole-time for the purpose of their functions under this Part, and the arrangements may extend, with any necessary adjustments, to persons employed by the Society part-time for that purpose or (whether whole-time or part-time) for that and other purposes.

(2) The arrangements may include the establishment and administration, by the Law Society or otherwise, of a pension scheme with or without a pension fund.

(3) If the^[F6] Lord Chancellor] so directs, receipts and expenses of the Law Society attributable to their establishment and administration of a pension scheme under this Article shall, notwithstanding anything in Article 19, be dealt with under the scheme instead of being paid into and out of the legal aid fund.]

F6	SI 1982/159
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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order power to amend conferred by [2011 c. 24 \(N.I.\) Sch. 5 para. 5\(a\)](#)
- Act rev.in pt. by [1996 c. 25 s.79Sch.4 paras.19\(2\)36](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 28(7)(c) inserted by [2011 c. 24 \(N.I.\) s. 83\(2\)\(a\)](#)
- art. 29(2A) inserted by [2015 c. 9 \(N.I.\) Sch. 2 para. 3](#)
- art. 29(2A) words substituted in earlier affecting provision [2015 c. 9 \(N.I.\), Sch. 2 para. 3](#) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(c\)](#)