

2005 No. 473

LEGAL AID AND ADVICE

**Legal Aid (Costs of Successful Unassisted Parties)
(Amendment) Regulations (Northern Ireland) 2005**

Made - - - - - 1st November 2005

Coming into operation 5th December 2005

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred by Article 17 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981^(a), and now vested in him^(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Legal Aid (Costs of Successful Unassisted Parties) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 5th December 2005.

Interpretation

2. In these Regulations “the principal regulations” means the Legal Aid (Costs of Successful Unassisted Parties) Regulations (Northern Ireland) 1965^(c).

Amendment to the principal regulations

3. In regulation 1(2) of the principal regulations after the definition of “chief clerk” there shall be inserted —

““civil partner” has the meaning assigned to it by section 1 of the Civil Partnership Act 2004^(d);

4. In paragraph 6 of the Schedule to the principal regulations—

- (a) for the words “has had, a spouse” there shall be substituted the words “has had, a spouse or civil partner”;
- (b) for the words “specify that spouse’s financial resources, expectations and commitments, unless she had” there shall be substituted the words “specify that spouse’s or civil partner’s financial resources, expectations and commitments, unless the spouse or civil partner had”; and
- (c) for the words “and his spouse are” there shall be substituted the words “and his spouse or civil partner are”.

(a) S.I. 1981/228 (N.I. 8)
(b) S.I. 1982/159
(c) S.R. 1965 No. 235
(d) 2004 c. 33

Signed by authority of the Lord Chancellor

Bridget Prentice
Parliamentary Under-Secretary of State, Department for Constitutional Affairs

Dated 1st November 2005

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Legal Aid (Costs of Successful Unassisted Parties) Regulations (Northern Ireland) 1965 to insert references to the legal status of civil partners, as created by the provisions of the Civil Partnership Act 2004, to ensure an application for an order under Article 16 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 by any person who is in a civil partnership is determined in a manner consistent with the existing Regulations.

Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. N2353. C2. 11/05. Gp. 130. 14567.