

*Changes to legislation:* There are currently no known outstanding effects for the Contempt of Court Act 1981, Paragraph 13. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

#### SECTIONS 12, 13, 14 AND 16 AS APPLIED TO NORTHERN IRELAND

##### *Legal aid.*

<sup>F1</sup> 13 (1) In any case where—

- (a) a person is liable to be committed or fined—
- (i) by a magistrates' court under [<sup>F2</sup>Article 160 of the Magistrates' Courts (Northern Ireland) Order 1981];
  - (ii) by a county court under Article 55 of the <sup>M1</sup>County Courts (Northern Ireland) Order 1980; or
  - [ by a magistrates' court or the Crown Court under section 18 of the <sup>F3</sup>(<sup>ii</sup>a) Criminal Procedure and Investigations Act 1996; or.]
- (iii) by any superior court for contempt in the face of that or any other court; and
- (b) it appears to the court that it is desirable in the interests of justice that he should have legal aid and that he has not sufficient means to enable him to obtain that aid;

the court may order that he shall be given legal aid for the purposes of the proceedings.

- (2) Unless the court orders that the legal aid to be given under this section shall consist of representation by counsel only or, in any court where solicitors have a right of audience, by a solicitor only, legal aid under this section shall consist of representation by a solicitor and counsel assigned by the court; and the court may assign for the purpose any counsel or solicitor who is within the precincts of the court at the time when the order is made.
- (3) If on a question of granting a person legal aid under this section there is a doubt whether his means are sufficient to enable him to obtain legal aid or whether it is desirable in the interests of justice that he should have legal aid, the doubt shall be resolved in favour of granting him legal aid.
- (4) Articles 32, 33, 36 and 40 of the <sup>M2</sup>Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 shall apply in relation to legal aid under this section as they apply in relation to legal aid under Part III of that Order as if any legal aid under this section were given in pursuance of a certificate under Article 29 of that Order.
- (5) This section is without prejudice to any other enactment by virtue of which legal aid may be granted in or for purposes of civil or criminal proceedings.]

##### **Textual Amendments**

- F1** S. 13 as it applies to N.I. repealed (prosp.) by Access to [Justice \(Northern Ireland\) Order 2003 \(S.I. 2003/435\)](#), arts. 1(2), 49, [Sch. 5](#) (with art. 45)

---

**Changes to legislation:** There are currently no known outstanding effects for the  
Contempt of Court Act 1981, Paragraph 13 . (See end of Document for details)

---

- F2** Words substituted by [S.I. 1981/1675](#), (N.I. 26), Sch. 6 para. 61
- F3** Sch. 4: s. 13(1)(a)(ia) inserted (N.I.) (4.7.1996 with application in relation to alleged offences into which no criminal investigation has begun before 1.4.1997) by [1996 c. 25](#), ss. 1(3), 18(11), 79(4), **Sch. 4 para. 11** (with s. 78(1)); [S.I. 1997/682](#), **art. 2(1)(a)**

---

**Marginal Citations**

- M1** [S.I. 1980/397](#) (N.I. 3).
- M2** [S.I. 1981/228](#) (N.I. 8).

**Changes to legislation:**

There are currently no known outstanding effects for the Contempt of Court Act 1981, Paragraph 13 .