
STATUTORY INSTRUMENTS

1989 No. 340

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

The Legal Advice and Assistance Regulations 1989

<i>Made</i>	- - - -	<i>3rd March 1989</i>
<i>Laid before Parliament</i>		<i>8th March 1989</i>
<i>Coming into force</i>		<i>1st April 1989</i>

THE LEGAL ADVICE AND ASSISTANCE REGULATIONS 1989

1. Citation, commencement, and transitional provisions
2. Revocations
3. Interpretation
4. Limit on cost of advice and assistance
5. ABWOR relating to applications for further detention
6. Provision of advice and assistance at police stations etc
7. ABWOR in criminal proceedings in magistrates' courts
8. Advice and assistance in criminal proceedings in magistrates' courts
9. Applications for advice and assistance
10. Attendance on behalf of a client
11. Eligibility for advice and assistance to which regulation 9 applies
12. Contributions to the cost of advice and assistance to which regulation 9 applies
13. Assessment of disposable income, disposable capital and maximum contribution
14. Children and patients
15. Clients resident outside England and Wales
16. Advice and assistance from more than one solicitor
17. Separate matters
18. Refusal of advice and assistance
19. Power to require information
20. Entrusting functions to others
21. Extensions
22. Applications for approval of ABWOR
23. Counsel
24. Notification of approval of assistance by way of representation
25. Withdrawal of approval of assistance by way of representation

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

26. Appeals against refusal of ABWOR etc
 27. Determination of appeals
 28. Collection and refund of contributions
 29. Costs payable out of the fund
 30. Basis of assessments
 31. Recovery of costs
 32. Exceptions to charge on property recovered or preserved
 33. Authority not to enforce the charge
 34. Costs awarded against a client
 35. Costs of successful unassisted parties out of the fund
 36. False statements etc
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SCHEDULE 1 —

SCHEDULE 2 — ASSESSMENT OF RESOURCES

1. In this Schedule, unless the context otherwise requires— “capital” means...
2. The provisions of this Schedule apply to a man and...
3. Any question arising under this Schedule shall be decided by...
4. The disposable capital and disposable income of the person concerned...
5. The resources of any person who, under section 26(3) and...
6. If it appears to the solicitor that the person concerned...
7. (1) In computing the capital and income of the person...
8. In computing the capital of the person concerned—
9. In computing the income of the person concerned—
10. If the person concerned is making bona fide payments for...
11. Where it appears to the solicitor that there has been...

SCHEDULE 3 — CONTRIBUTIONS BY CLIENTS

SCHEDULE 4 — EXCEPTIONS TO CHARGE ON PROPERTY RECOVERED OR PRESERVED

SCHEDULE 5 — COSTS AWARDED AGAINST A CLIENT

1. No costs attributable to the period during which a client...
2. The court may, if it thinks fit, refer to the...
3. In determining the amount of the client’s liability his dwelling-house,...
4. Any person, not being himself a client, who is a...
5. The court may, if it thinks fit, order the client...
6. The court may direct— (a) that payment under the order...
7. The party in whose favour an order is made may...
8. Where an order for costs is made against a client...
9. Where a client is a child, his means for the...
10. Where an order for costs is made against a next...

Explanatory Note