
STATUTORY INSTRUMENTS

1996 No. 1257

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

**The Civil Legal Aid (General)
(Amendment) (No. 2) Regulations 1996**

<i>Made</i>	- - - -	<i>7th May 1996</i>
<i>Laid before Parliament</i>		<i>9th May 1996</i>
<i>Coming into force</i>	- -	<i>1st June 1996</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 34 and 43 of the Legal Aid Act 1988⁽¹⁾, hereby makes the following Regulations:—

1. These Regulations may be cited as the Civil Legal Aid (General) (Amendment) (No. 2) Regulations 1996 and shall come into force on 1st June 1996.
2. The Civil Legal Aid (General) Regulations 1989⁽²⁾ shall be amended as follows:
 - (a) after regulation 33 there shall be inserted the following—

“Refusal where assignment made to obtain legal aid

33A. Without prejudice to regulation 28, an application may be refused where it appears to the Area Director that

- (a) any cause of action in respect of which the application was made has been transferred to the applicant by assignment or otherwise from a body of persons corporate, or unincorporate, or by another person who would not be entitled to receive legal aid; and
 - (b) the assignment or transfer was entered into with a view to allowing the action to be commenced or continued with the benefit of a legal aid certificate.”;
- (b) After regulation 66 there shall be inserted the following—

(1) 1988 c. 34; sections 34 and 43 were amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraphs 60 and 63. Section 43 is an interpretation provision and is cited because of the meaning assigned to the word “regulations”.

(2) S.I.1989/339; there are no relevant amendments.

“Provision of information

66A. The Area Director or the assessment officer may at any time after the grant of a certificate require the assisted person to

- (a) provide further evidence of any information given in relation to his application for a certificate;
- (b) attend for an interview for the purpose of providing such information;
- (c) provide such additional information as the Area Director or the assessment officer may require.”.

Dated 7th May 1996

Mackay of Clashfern, C.

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Legal Aid (General) Regulations 1989 to prevent legal aid being granted to persons who are entitled to bring a cause of action only by reason of an assignment made to obtain legal aid and to require persons who have been granted civil legal aid to provide information or to attend for an interview when requested so to do.