
STATUTORY INSTRUMENTS

2013 No. 104

The Civil Legal Aid (Merits Criteria) Regulations 2013

PART 6

SPECIFIC MERITS CRITERIA

CHAPTER 5

Housing

Criteria for determinations for full representation in relation to court orders for possession

61.—(1) For the purposes of a determination for full representation in relation to any matter described in paragraph 33(1)(a) of Part 1 of Schedule 1 to the Act (court orders for sale or possession of the individual's home), to the extent that it relates to court orders for possession of the individual's home, the criteria in—

- (a) regulation 39 (standard criteria for determinations for legal representation) apply;
 - (b) regulations 41 to 44 (criteria for determinations for full representation) do not apply; and
 - (c) paragraph (2) apply.
- (2) The Director must be satisfied that the following criteria are met—
- (a) if the individual is the defendant to a claim for possession, the individual has a defence to the claim;
 - (b) the prospects of success are very good, good, moderate or borderline; and
 - (c) the proportionality test is met.