
STATUTORY INSTRUMENTS

2023 No. 147

The Civil Legal Aid (Housing and Asylum Accommodation) Order 2023

Amendment of the Legal Aid, Sentencing and Punishment of Offenders Act 2012

2.—(1) Part 1 of Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services) is amended as follows.

(2) In paragraph 31 (immigration: accommodation for asylum-seekers etc.), in sub-paragraph (1) (a)—

- (a) after “95”, insert “or 95A”;
- (b) after “asylum-seekers”, insert “and failed asylum-seekers”.

(3) In paragraph 33 (loss of home)—

(a) after sub-paragraph (1) insert—

“(1A) Civil legal services provided to an individual, where the Director has determined the individual qualifies for any services described in sub-paragraph (1) (and has not withdrawn the determination), in relation to –

- (a) housing matters;
- (b) debt;
- (c) a benefit, allowance, payment, credit or pension under—
 - (i) a social security enactment;
 - (ii) the Vaccine Damage Payments Act 1979(1);
 - (iii) Part 4 of the Child Maintenance and Other Payments Act 2008(2);
- (d) a council tax reduction scheme.”,

(b) after sub-paragraph (7) insert—

“(7A) Sub-paragraph (1A) is subject to the exclusions in Part 2 of this Schedule, with the exception of paragraphs 14 and 15 of that Part.”;

(c) after sub-paragraph (8) insert—

“(8A) The services described in sub-paragraph (1A) do not include advocacy.”;

(d) for sub-paragraph (9), substitute—

“(9) In this paragraph—

- “council tax reduction scheme” has the meaning given in paragraph 8A(4);
- “home”, in relation to an individual, means the house, caravan, houseboat or other vehicle or structure that is the individual’s only or main residence, subject to sub-paragraph (10);
- “housing matters” means matters which concern—

Status: This is the original version (as it was originally made).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

- (i) the possession of, status of, terms of occupation, repair of, improvement of, quiet enjoyment of, or payment of rent or other charges for, an individual's home;
 - (ii) the rights of leaseholders under the terms of their lease or under any statutory provision ;
 - (iii) the allocation and transfer of housing and the provision of sites for occupation, but does not include disputes relating to any boundary of a property;
- “social security enactment” has the meaning given in paragraph 8(3).”