
STATUTORY INSTRUMENTS

2013 No. 9

The Criminal Legal Aid (General) Regulations 2013

PART 6

Legal Persons

Legal persons: application of regulation 5

- 31.**—(1) Regulation 5(1) applies to legal persons with the modifications in paragraphs (2) and (3).
(2) For “an individual” substitute “a legal person”.
(3) For “the individual” substitute “the legal person”.

Commencement Information

11 Reg. 31 in force at 1.4.2013, see [reg. 1](#)

Legal persons: application of regulation 6

- 32.**—(1) Regulation 6(2) applies to legal persons with the modification in paragraph (2).
(2) For “an individual” substitute “a legal person”.

Commencement Information

12 Reg. 32 in force at 1.4.2013, see [reg. 1](#)

Legal persons: prescribed advice and assistance

33.—(1) The advice and assistance set out in paragraph (2) is prescribed for the purposes of paragraph 4(1) of Schedule 3 (legal aid for legal persons) to the Act.

(2) The prescribed advice and assistance is advice and assistance which is provided in relation to—

- (a) an investigation which may lead to criminal proceedings;
- (b) criminal proceedings;
- (c) an appeal or a potential appeal against the outcome of criminal proceedings; or
- (d) a sentence imposed on a legal person.

(1) Paragraph 9(3) of Schedule 3 to the Act (legal aid for legal persons: providers of services etc) provides that in section 28 of the Act (position of providers of services) references to an individual include a legal person.
(2) Paragraph 9(3) of Schedule 3 to the Act (legal aid for legal persons: providers of services etc) provides that in section 30 of the Act (position of other parties, courts and tribunals) references to an individual include a legal person.

Changes to legislation: The Criminal Legal Aid (General) Regulations 2013, PART 6 is up to date with all changes known to be in force on or before 27 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

I3 [Reg. 33](#) in force at 1.4.2013, see [reg. 1](#)

Legal persons: prescribed conditions

34.—(1) The conditions set out in paragraph (2) are prescribed for the purposes of paragraph 4(1)(a) of Schedule 3 to the Act.

(2) The prescribed conditions are that the legal person must be the subject of—

- (a) an investigation which may lead to criminal proceedings; or
- (b) criminal proceedings, including an appeal, potential appeal and an application to vary sentence.

Commencement Information

I4 [Reg. 34](#) in force at 1.4.2013, see [reg. 1](#)

Legal persons: applications for advice and assistance for criminal proceedings

35.—(1) An application by a legal person for advice and assistance⁽³⁾ must be made in writing to the Director.

(2) The legal person must provide any additional information and documents requested by the Director in order to make a determination in relation to an application made in accordance with paragraph (1).

Commencement Information

I5 [Reg. 35](#) in force at 1.4.2013, see [reg. 1](#)

Legal persons: application of Part 4 of the Regulations

36.—(1) Regulations 13, 15(1)(a), (2) and (3), 16(a) to (c) and (e)(i) and 17(a) apply to legal persons with the modifications in paragraphs (2) to (4).

- (2) For “an individual” substitute “a legal person”.
- (3) For “the individual” substitute “the legal person”.
- (4) For “section 15 of” substitute “paragraph 4 of Schedule 3 to”.

Commencement Information

I6 [Reg. 36](#) in force at 1.4.2013, see [reg. 1](#)

(3) Paragraph 4(3) of Schedule 3 to the Act (legal aid for legal persons: advice and assistance for criminal proceedings) provides that subsections (3) to (9) of section 15 apply in relation to regulations made under paragraph 4 of Schedule 3 as they apply in relation to regulations made under that section.

Legal persons: specified legal persons in relation to criminal proceedings

37. A legal person is a specified legal person in relation to criminal proceedings if that person meets the condition prescribed in regulation 34(2)(b).

Commencement Information

17 Reg. 37 in force at 1.4.2013, see reg. 1

Legal persons: applications for representation

38.—(1) An application by a legal person for representation(4) for the purposes of criminal proceedings must be made in writing to the Director.

(2) The legal person must provide any additional information and documents requested by the Director in order to make a determination in relation to an application made in accordance with paragraph (1).

Commencement Information

18 Reg. 38 in force at 1.4.2013, see reg. 1

Legal persons: application of Part 5 of the Regulations

39.—(1) With the exception of regulations 21, 22(1) and 25(2)(b)(ii), Part 5 of these Regulations applies(5) to legal persons with the modifications in paragraphs (2) to (5).

(2) For “an individual” substitute “a legal person”.

(3) For “the individual” substitute “the legal person”.

(4) For “that individual” substitute “that legal person”.

(5) For “section 16 of” substitute “paragraph 5 of Schedule 3 to”.

Commencement Information

19 Reg. 39 in force at 1.4.2013, see reg. 1

(4) Paragraph 5(7) of Schedule 3 to the Act (legal aid for legal persons: representation for criminal proceedings) provides that subsections (2) to (7) of section 18 apply in relation to a determination under paragraph 5(2) of Schedule 3 as they apply in relation to a determination under section 16.

(5) Paragraph 5(4) of Schedule 3 to the Act (legal aid for legal persons: representation for criminal proceedings) provides that regulations under section 16(4) and (5) apply for the purposes of paragraph 5(3) of Schedule 3 as they apply for the purposes of section 16(3). Paragraphs 5(5) to (7) of Schedule 3 to the Act apply sections 17 and 18 to determinations made under paragraph 5 of Schedule 3.

Changes to legislation:

The Criminal Legal Aid (General) Regulations 2013, PART 6 is up to date with all changes known to be in force on or before 27 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 9(ud) word omitted by [S.I. 2023/150 art. 8\(a\)](#)
- reg. 9(ue)(uf) inserted by [S.I. 2023/150 art. 8\(b\)](#)