



ANALYSIS

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1970, No. 75

An Act to amend the Legal Aid Act 1969

[27 November 1970]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Legal Aid Amendment Act 1970, and shall be read together with and deemed part of the Legal Aid Act 1969 (hereinafter referred to as the principal Act).

(2) Subject to subsection (3) of section 2 of this Act, this Act shall be deemed to have come into force on the 1st day of April 1970 (being the date of the commencement of the principal Act).

2. Legal aid districts and Legal Aid Committees—(1) The principal Act is hereby amended by repealing section 8, and substituting the following section:

“8. The Minister may from time to time, by notice in the *Gazette*,—

“(a) Constitute as a legal aid district—

“(i) The district of any District Law Society; or

“(ii) Any part of the district of any District Law Society; or

“(iii) The district of any District Law Society together with any part or parts of the district or

districts of any 1 or more other District Law Societies; or

“(iv) Any part of the district of any District Law Society together with any part or parts of the district or districts of 1 or more other District Law Societies; or

“(v) The districts of 2 or more District Law Societies:

“(b) Vary the boundaries of any legal aid district constituted under this section or abolish any such district.”

(2) Section 9 of the principal Act is hereby amended by adding to paragraph (a) of subsection (2) the following proviso:

“Provided that where the legal aid district is constituted in accordance with any of the provisions of subparagraphs (iii) to (v) of paragraph (a) of section 8 of this Act, the members to be appointed under this paragraph shall be appointed by the Council of the District Law Society whose district, or, as the case may be, the part of whose district included in the legal aid district, is greater in area than the district or part of the district of every other District Law Society included in the legal aid district, after consultation by that Council with the Council of every other District Law Society whose district or part thereof is included in the legal aid district.”

(3) Notwithstanding anything in the foregoing provisions of this section, every appointment to a District Legal Aid Committee made by the Council of a District Law Society under paragraph (a) of subsection (2) of section 9 of the principal Act before the passing of this Act shall be deemed to have been lawfully made.

3. Assessment of disposable capital—Section 19 of the principal Act is hereby amended by inserting in subparagraph (ii) of paragraph (f) of subsection (3), after the word “husband”, the words “or of either or both of his parents”.