



Legal Services Amendment Regulations 2005

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 27th day of June 2005

Present:

Her Excellency the Governor-General in Council

Pursuant to section 113 of the Legal Services Act 2000, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

1	Title	3	New heading and regulation 7A inserted
2	Commencement		<i>Victims' claims proceedings</i>
		7A	Maximum grant to be specified for grants of legal aid

Regulations

- 1 Title**
- (1) These regulations are the Legal Services Amendment Regulations 2005.
- (2) In these regulations, the Legal Services Regulations 2000¹ are called “the principal regulations”.

¹ SR 2000/281

2 Commencement

These regulations come into force on 1 August 2005.

3 New heading and regulation 7A inserted

The principal regulations are amended by inserting, after regulation 7, the following heading and regulation:

“Victims’ claims proceedings

“7A Maximum grant to be specified for grants of legal aid

For the purposes of section 20(4) of the Act, the maximum grant to be specified for every grant of legal aid in respect of victims’ claims proceedings is the following number of hours of legal services from a listed provider and at the applicable hourly rate set by the Agency:

- “(a) 4 hours to prepare written material (which may include a request to hear oral submissions) to be put before the Tribunal determining the relevant claim:
- “(b) if that Tribunal agrees to hear oral submissions from the parties (or from their representatives),—
 - “(i) 2 hours to prepare those submissions; and
 - “(ii) the hours or parts of hours necessary to present those submissions or to otherwise attend hearings agreed to under section 38 of the Prisoners’ and Victims’ Claims Act 2005.”

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 August 2005, amend the Legal Services Regulations 2000 so that they prescribe the amount of the maximum grant to be specified for every grant of legal aid in respect of victims’ claims proceedings under subpart 2 of Part 2 of the Prisoners’ and Victims’ Claims Act 2005. Parties to those proceedings—

- may access the amount prescribed without satisfying the usual financial eligibility and contribution requirements; but
 - may access legal aid over and above the amount prescribed only if they satisfy those usual requirements.
-

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 June 2005.

These regulations are administered in the Ministry of Justice.
