

**Reprint
as at 31 March 2014**



**Legal Services Amendment Act
(No 2) 2013**

Public Act 2013 No 81
Date of assent 24 September 2013
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Legal Services Amendment Act (No 2) 2013.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

This Act is administered by the Ministry of Justice.

2 Commencement

This Act comes into force on 1 October 2014 unless it is earlier brought into force on a date appointed by the Governor-General by Order in Council.

Section 2: this Act brought into force, on 31 March 2014, by the Legal Services Amendment Act (No 2) 2013 Commencement Order 2014 (LI 2014/95).

3 Principal Act

This Act amends the Legal Services Act 2011 (the **principal Act**).

4 Section 7 amended (Proceedings for which legal aid may be granted: civil matters)

(1) After section 7(3), insert:

“(3A) Despite subsection (1), legal aid is only available in proceedings under the Care of Children Act 2004 that are to be heard and determined in a Family Court if—

“(a) a lawyer is acting in the proceedings as permitted by any of the following sections of that Act:

“(i) section 7A(2); or

“(ii) section 7A(4)(b)(ii) or (iii); or

“(iii) section 7A(4)(c); or

“(iv) section 7A(6); or

“(b) a lawyer is acting in the proceedings as permitted by section 7A(4)(a) or (b)(i) of that Act, but the proceedings are not of a kind specified in subsection (3B); or

“(c) a lawyer is providing legal advice to a party who—

“(i) has indicated at a settlement conference an intention to consent to the making of an order settling 1 or more of the issues in dispute in the proceedings; and

“(ii) has been advised by the Judge to obtain legal advice before that order is made.

“(3B) The kinds of proceedings referred to in subsection (3A)(b) are—

“(a) proceedings commenced by an application that—

“(i) affects the applicant only; or

“(ii) is in respect of a routine matter; or

- “(iii) is about a matter that does not affect the interests of any other person; or
- “(b) proceedings where every person in respect of whom the order is sought has either died or cannot be found.”
- (2) After section 7(5), insert:
- “(6) Subsections (3A) and (3B) do not apply in respect of any proceedings commenced under the Care of Children Act 2004 before the date of commencement of section 5 of the Care of Children Amendment Act (No 2) 2013.”
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Reprints notes

1 *General*

This is a reprint of the Legal Services Amendment Act (No 2) 2013 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Legal Services Amendment Act (No 2) 2013 Commencement Order 2014 (LI 2014/95)
