



## Legal Services Amendment Regulations 2016

Rt Hon Dame Sian Elias, Administrator of the Government

### Order in Council

At Wellington this 13th day of June 2016

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under section 114(1)(d) of the Legal Services Act 2011 on the advice and with the consent of the Executive Council.

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### Regulations

#### 1 Title

These regulations are the Legal Services Amendment Regulations 2016.

#### 2 Commencement

These regulations come into force on 4 July 2016.

### 3 Principal regulations

These regulations amend the Legal Services Regulations 2011 (the **principal regulations**).

### 4 Regulation 5 replaced (Legal aid for civil matters: maximum levels of income)

Replace regulation 5 with:

#### 5 Legal aid for civil matters: maximum levels of income

- (1) The maximum levels of income for the purposes of determining an applicant's eligibility for legal aid in respect of a civil matter are,—
  - (a) for a single applicant with no dependent children,—
    - (i) \$22,846 per year if the application is made during the period beginning with 4 July 2016 and ending with the close of 2 July 2017; and
    - (ii) \$23,326 per year if the application is made during the period beginning with 3 July 2017 and ending with the close of 1 July 2018; and
    - (iii) \$23,820 per year if the application is made on or after 2 July 2018:
  - (b) for a single applicant with 1 dependent child, or an applicant with a spouse or partner and no dependent children,—
    - (i) \$36,180 per year if the application is made during the period beginning with 4 July 2016 and ending with the close of 2 July 2017; and
    - (ii) \$36,940 per year if the application is made during the period beginning with 3 July 2017 and ending with the close of 1 July 2018; and
    - (iii) \$37,722 per year if the application is made on or after 2 July 2018:
  - (c) for a single applicant with 2 dependent children, or an applicant with a spouse or partner and 1 dependent child,—
    - (i) \$52,027 per year if the application is made during the period beginning with 4 July 2016 and ending with the close of 2 July 2017; and
    - (ii) \$53,119 per year if the application is made during the period beginning with 3 July 2017 and ending with the close of 1 July 2018; and
    - (iii) \$54,245 per year if the application is made on or after 2 July 2018:

- (d) for a single applicant with 3 dependent children, or an applicant with a spouse or partner and 2 dependent children,—
    - (i) \$59,122 per year if the application is made during the period beginning with 4 July 2016 and ending with the close of 2 July 2017; and
    - (ii) \$60,363 per year if the application is made during the period beginning with 3 July 2017 and ending with the close of 1 July 2018; and
    - (iii) \$61,642 per year if the application is made on or after 2 July 2018;
  - (e) for a single applicant with 4 dependent children, or an applicant with a spouse or partner and 3 dependent children,—
    - (i) \$66,065 per year if the application is made during the period beginning with 4 July 2016 and ending with the close of 2 July 2017; and
    - (ii) \$67,453 per year if the application is made during the period beginning with 3 July 2017 and ending with the close of 1 July 2018; and
    - (iii) \$68,882 per year if the application is made on or after 2 July 2018;
  - (f) for a single applicant with 5 dependent children, or an applicant with a spouse or partner and 4 dependent children,—
    - (i) \$73,853 per year if the application is made during the period beginning with 4 July 2016 and ending with the close of 2 July 2017; and
    - (ii) \$75,404 per year if the application is made during the period beginning with 3 July 2017 and ending with the close of 1 July 2018; and
    - (iii) \$77,002 per year if the application is made on or after 2 July 2018.
- (2) If a single applicant has more than 5 dependent children, or an applicant has a spouse or partner and more than 4 dependent children, the maximum level of income per year for that applicant is calculated by—
- (a) adding \$6,832 for each additional child to the amount specified in sub-clause (1)(f)(i) if the application is made during the period beginning with 4 July 2016 and ending with the close of 2 July 2017; and
  - (b) adding \$6,976 for each additional child to the amount specified in sub-clause (1)(f)(ii) if the application is made during the period beginning with 3 July 2017 and ending with the close of 1 July 2018; and

- (c) adding \$7,124 for each additional child to the amount specified in sub-clause (1)(f)(iii) if the application is made on or after 2 July 2018.

Michael Webster,  
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 4 July 2016, amend the Legal Services Regulations 2011 (the **principal regulations**). *Regulation 4* replaces regulation 5 of the principal regulations. It increases the maximum levels of income for the purposes of determining an applicant's eligibility for legal aid in respect of a civil matter. There will be 3 increases to the maximum levels of income. The first increase will take effect when these regulations come into force on 4 July 2016. The second increase will take effect from 3 July 2017 and the third increase will take effect from 2 July 2018.

### Regulatory impact statement

The Ministry of Justice produced a regulatory impact statement on 30 May 2016 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at <http://www.justice.govt.nz/policy/regulatoryimpactstatements>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 16 June 2016.

These regulations are administered by the Ministry of Justice.