

Statutory Document No. 2015/0168

*Legal Aid Act 1986*

LEGAL AID ACT 1986 (MODIFICATION) REGULATIONS 2015

*Approved by Tynwald: 16 June 2015**Coming into Operation: 1 July 2015*

The Legal Aid Committee, being satisfied that the modification made by these Regulations is necessary for the purposes of fulfilling an obligation imposed by an international agreement which extends to the Island, makes the following Regulations under section 16(3)(e) of the Legal Aid Act 1986.

1 Title

These Regulations are the Legal Aid Act 1986 (Modification) Regulations 2015.

2 Commencement

If approved by Tynwald, these Regulations come into operation on 1 July 2015.

3 Modification of Part 1 of the Legal Aid Act 1986

(1) Part 1 of the *Legal Aid Act 1986* is modified as follows.

(2) After section 3(1) (financial conditions of legal aid) insert —

3(1A) For the purposes of proceedings relating to the lawfulness of a person's detention under the Mental Health Act 1998, that person's resources shall be ignored. 22

MADE 6 MAY 2015

A. Swithinbank
J. Wright
A. Jones

MEMBERS OF THE LEGAL AID COMMITTEE

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations modify section 3 of the Legal Aid Act 1986 by adding a new subsection (1A) which provides that in the case of proceedings to determine the lawfulness of a person's detention under the Mental Health Act 1998 that person's resources shall be ignored. This modification is required to meet the Island's obligation to secure legal representation in the case of a person who is detained in these circumstances.