



**THE OFFENDERS LEGAL AID REGULATIONS 1972,
AMENDMENT NO. 3**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 26th day of January 1982

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 3 of the Offenders Legal Aid Act 1954, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Offenders Legal Aid Regulations 1972, Amendment No. 3, and shall be read together with and deemed part of the Offenders Legal Aid Regulations 1972* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2. Legal aid in proceedings on indictment—(1) Regulation 6 of the principal regulations (as amended by section 12 of the Judicature Amendment Act 1979) is hereby amended by omitting the words “to the High Court” where they first occur.

(2) Part II of the Second Schedule to the principal regulations (as substituted by regulation 2 (1) of the Offenders Legal Aid Regulations 1972, Amendment No. 2 and amended by section 12 of the Judicature Amendment Act 1979) is hereby amended by omitting the words “in the High Court”.

*S.R. 1972/176

Amendment No. 1: S.R. 1976/269

Amendment No. 2: S.R. 1978/118

3. Fees and expenses for certain proceedings under Family Proceedings Act 1980—The Second Schedule to the principal regulations (as substituted by regulation 2 (1) of the Offenders Legal Aid Regulations 1972, Amendment No. 2) is hereby amended by inserting, after Part II, the following Part:

“PART IIA—FEES IN PROCEEDINGS UNDER THE FAMILY PROCEEDINGS ACT 1980

A. *Hearings*

	Scale I	Scale II	Scale III
	\$	\$	\$
For representing a party who is summoned or brought before a District Court under section 124 or section 130 of the Family Proceedings Act 1980, one of the following scales shall apply:			
(a) For receiving instructions and advising generally	8.60	12.90	17.25
(b) For preparation for appearance, for each hour excluding the first	6.75	10.12	13.50
with a maximum of	25.50	38.25	51.00
(c) For appearance, each half day or part half day	25.50	38.25	51.00

B. *Appeals*

	Scale I	Scale II	Scale III
	\$	\$	\$
In proceedings in the High Court on appeal under section 130 (9) of the Family Proceedings Act 1980, one of the following scales shall apply:			
(a) For preparation, including all matters connected with or incidental to the proceedings, for each half hour	6.75	10.12	13.50
with a maximum of	34.50	51.75	69.00
(b) For appearance, for each half day or part half day	34.50	51.75	69.00.”

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

Regulation 2 recognises the fact that trials on indictment are now held in District Courts, as well as in the High Court. Counsel will receive the same fee for such a trial, regardless of its venue.

Regulation 3 prescribes scales of fees for certain proceedings under the Family Proceedings Act 1980.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 28 January 1982.
These regulations are administered in the Department of Justice.