LEGAL AID AND ADVICE ACT
(CHAPTER 160, SECTION 23(1))

LEGAL AID AND ADVICE REGULATIONS

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[1st October 1995]

Citation

1. These Regulations may be cited as the Legal Aid and Advice Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

"board" means a board consisting of the Director and not fewer than 2 solicitors on an appropriate panel of solicitors maintained under section 4 of the Act;

[S 692/2019 wef 16/10/2019]

"Fund" means the Legal Aid Fund established under regulation 2A;

[S 299/2002 wef 26/04/2002]

[*Deleted by S 355/2013 wef 01/07/2013*]

[*Deleted by S 692/2019 wef 16/10/2019*]

"Provisional Grant of Aid" means a Grant of Aid issued on a provisional basis under section 8(2) of the Act;

[S 692/2019 wef 16/10/2019]

"working day" means any day other than a Saturday, Sunday or public holiday.

[S 400/2019 wef 31/05/2019]

2AA. [*Deleted by S 271/2016 wef 10/06/2016*]

Legal Aid Fund

2A.—(1) There shall be a Legal Aid Fund into which shall be paid —

(*a*) all contributions paid by an aided person under section 22A of the Act;

[S 400/2019 wef 31/05/2019]

(*b*) all costs recovered for an aided person in any proceedings in any court by the Director or assigned solicitor;

(*c*) all such sums appropriated from the Consolidated Fund and authorised to be paid into the Fund by or under any written law for the purposes of the Fund; and

(*d*) all interest and other income arising from investment of moneys forming the Fund.

(2) The moneys in the Fund shall be withdrawn and applied only in accordance with the Act and these Regulations to meet —

(*a*) payments of disbursements, fees to assigned solicitors and out-of-pocket expenses in connection with applications for legal aid; and

(*b*) administrative costs and other expenses related to the management and investment of the Fund.

(3) The Fund shall be controlled and administered by the Director.

[S 299/2002 wef 26/04/2002]

Means criteria

3. For the purposes of section 8(1)(*a*) of the Act, the prescribed means criteria are set out in the First Schedule.

[S 692/2019 wef 16/10/2019]

Prescribed classes of proceedings

3A. For the purposes of section 8(1)(*b*)(i) of the Act, the prescribed classes of proceedings are set out in the Second Schedule.

[S 692/2019 wef 16/10/2019]

Application for legal aid for minor

4.—(1) [*Deleted by S 400/2019 wef 31/05/2019*]

(2) [*Deleted by S 400/2019 wef 31/05/2019*]

(3) The Director shall not issue a Grant of Aid to an applicant who is applying for it on behalf of a minor unless the applicant has signed an undertaking to pay to the Director (if called upon to do so) any sum which, by virtue of any provision of the Act or these Regulations, the Director may require an aided person of full age and capacity to pay upon the issue or during the currency or upon cancellation of the Grant of Aid.

[S 355/2013 wef 01/07/2013]

(4) Any Grant of Aid referred to in this regulation shall be in the name of the minor and shall also state the name of the person who applied for the Grant on behalf of the minor.

[S 355/2013 wef 01/07/2013]

(5) In any matter relating to the issue, amendment or cancellation of a Grant of Aid issued under this regulation, and in any other matter which may arise as between an aided person and the Director, the person by whom the minor has applied for the Grant shall be treated for all purposes (including the receipt of documents) as the agent of the minor.

[S 309/2007 wef 01/07/2007]

[S 355/2013 wef 01/07/2013]

(6) For the purposes of section 6(6) of the Act, the prescribed time is 6 months.

[S 400/2019 wef 31/05/2019]

[S 235/2024 wef 31/12/2021]

Proceedings to which Grant of Aid may relate

5.—(1) A Grant of Aid may be issued in respect of the whole or a part of —

(*a*) proceedings in a court of first instance; or

(*b*) proceedings in an appellate court,

but it shall not relate to proceedings (other than interlocutory appeals) both in a court of first instance and in an appellate court.

[S 355/2013 wef 01/07/2013]

(2) A Grant of Aid shall not relate to more than one action, cause or matter, but may include proceedings for the enforcement of any such order or agreement as is referred to in regulation 14(4) .

[S 355/2013 wef 01/07/2013]

[S 400/2019 wef 31/05/2019]

(3) In determining whether any contribution should be paid by an aided person in one sum or by instalments, the Director shall have regard to all the circumstances, including the probable length of time which any Grant of Aid issued as a result of the application will be in force, and the Director may order the contribution to be paid in instalments or the whole or a part of it to be paid before the issue of the Grant.

[S 355/2013 wef 01/07/2013]

(4) After an application for a Grant of Aid has been approved, the Director shall notify the applicant of the terms upon which the Grant of Aid will be issued to the applicant.

[S 355/2013 wef 01/07/2013]

(5) When an applicant has accepted the terms for the issue of a Grant of Aid and paid the contribution or any part thereof which is required to be paid before the issue of the Grant, the Director shall issue to the applicant a Grant of Aid.

[S 355/2013 wef 01/07/2013]

[S 400/2019 wef 31/05/2019]

Amendment of Grant of Aid

6.—(1) The Director may amend a Grant of Aid —

(*a*) where it appears to him that there has been some error or mistake in the Grant;

(*b*) when, in relation to a Grant of Aid issued in connection with any proceedings mentioned in the Second Schedule, the Director is of the opinion that it has become desirable either for the Grant —

(i) to be extended to other proceedings, being part of the same action, cause or matter to which the Grant relates, or proceedings for the enforcement of any such order or agreement as is referred to in regulation 14(4); or

(ii) not to extend to some of the proceedings in respect of which it was issued; or

[S 692/2019 wef 16/10/2019]

(*c*) when an aided person desires to change the solicitor who is acting for him or the solicitor assigned by the Director to act for the aided person discharges himself from acting for the aided person.

[S 692/2019 wef 16/10/2019]

(2) The Director may amend a Grant of Aid issued in connection with any proceedings other than those mentioned in the Second Schedule if, in the opinion of a board, the Grant of Aid should —

(*a*) be extended to other proceedings, being part of the same action, cause or matter to which the Grant relates, or proceedings for the enforcement of any such order or agreement mentioned in regulation 14(4); or

(*b*) not be extended to some of the proceedings in respect of which it was issued.

[S 692/2019 wef 16/10/2019]

Provisional Grant of Aid

7.—(1) A Provisional Grant of Aid remains in force for a period not exceeding 3 months, unless the period is extended under paragraph (2).

(2) The Director may, if the Director considers appropriate in any particular case, extend the period mentioned in paragraph (1) by one or more further periods not exceeding 3 months each.

(3) The Provisional Grant of Aid ceases to have effect on the date that the Director issues a Grant of Aid under section 8(1) of the Act to the applicant in respect of the proceedings to which the Provisional Grant of Aid relates.

(4) If the Director refuses an application for legal aid under section 8(1) of the Act, the Director must as soon as practicable cancel the Provisional Grant of Aid that was issued pending the determination of that application.

(5) The Director must as soon as practicable notify all parties concerned if a Provisional Grant of Aid is cancelled or extended.

[S 692/2019 wef 16/10/2019]

Cancellation of Grant of Aid

8.—(1) The Director may cancel a Grant of Aid —

(*a*) at any time at the request of the person to whom it is issued;

(*b*) where an aided person has been required to make —

(i) a contribution under section 22A(1) of the Act;

[S 400/2019 wef 31/05/2019]

(ii) a deposit in respect of out-of-pocket expenses under section 13(1) of the Act; or

(iii) a repayment of any amount expended or advanced by the Director to meet out-of-pocket expenses under section 13(6) of the Act,

[S 235/2024 wef 31/12/2021]

and any payment in respect thereof is more than 30 days in arrears;

[S 355/2013 wef 01/07/2013]

(*c*) if the Director is satisfied that the proceedings to which the Grant relates have been disposed of;

[S 355/2013 wef 01/07/2013]

(*d*) [*Deleted by S 692/2019 wef 16/10/2019*]

(*e*) if the Director is satisfied that the aided person has wilfully failed to comply with these Regulations as to information to be furnished by the aided person or, in furnishing any such information, has knowingly made a false statement or false representation;

(*f*) if, as a result of a further determination, the Director is satisfied that the aided person does not satisfy the means criteria set out in the First Schedule;

[S 692/2019 wef 16/10/2019]

(*g*) [*Deleted by S 692/2019 wef 16/10/2019*]

(*h*) if the Director is satisfied that the aided person has died or has had a bankruptcy order made against the aided person (whether in Singapore or elsewhere); or

[S 355/2013 wef 01/07/2013]

[S 692/2019 wef 16/10/2019]

(*i*) if the Director is satisfied that the aided person has breached any of the terms upon which a Grant of Aid was issued to him.

[S 355/2013 wef 01/07/2013]

[S 355/2013 wef 01/07/2013]

(1A) Subject to paragraph (2), the Director may cancel a Grant of Aid if —

(*a*) a board is satisfied that the aided person —

(i) has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense which will be paid out of moneys in the Fund; or

(ii) has required unreasonably that the proceedings be continued; or

(*b*) as a result of any information coming to the knowledge of members of a board, the board considers that —

(i) the aided person no longer has reasonable grounds for taking, defending or being a party to the proceedings; or

(ii) it is unreasonable in the particular circumstances for the aided person to continue to receive legal aid.

[S 692/2019 wef 16/10/2019]

(2) A Grant of Aid shall not be cancelled under paragraph (1)(*e*), (*f*) or (*i*) or (1A) until the aided person has been given an opportunity to show cause why the Grant should not be cancelled.

[S 355/2013 wef 01/07/2013]

[S 692/2019 wef 16/10/2019]

(3) At any time during the hearing of any proceedings to which an aided person is a party, the court may, upon application by or on behalf of any other party to the proceedings or by the Director, consider whether the aided person —

(*a*) has wilfully failed to comply with any regulation as to the information to be furnished by him; or

(*b*) in furnishing any such information has knowingly made a false statement or false representation.

(4) On any application under paragraph (3), the court may make an order cancelling the Grant of Aid from such date as may be appropriate and the court's decision shall be final except that no order

shall be made under this paragraph until the aided person has been given an opportunity to show cause why the Grant should not be cancelled.

[S 355/2013 wef 01/07/2013]

(5) When the Director cancels a Grant of Aid, he shall as soon as practicable issue a notice of cancellation to the aided person.

[S 355/2013 wef 01/07/2013]

[S 400/2019 wef 31/05/2019]

(6) Where the Grant of Aid so cancelled has been filed in the registry of any court, the Director shall as soon as practicable file a notification with that registry.

[S 355/2013 wef 01/07/2013]

[S 400/2019 wef 31/05/2019]

(7) Where the court makes an order cancelling a Grant of Aid, the officer of the court shall as soon as practicable inform the Director.

[S 309/2007 wef 01/07/2007]

[S 355/2013 wef 01/07/2013]

[S 400/2019 wef 31/05/2019]

Effect of cancellation of Grant of Aid

9.—(1) Subject to this regulation, a person whose Grant of Aid is cancelled shall, from the date that the Grant is cancelled, cease to be an aided person in the proceedings to which the Grant relates.

[S 355/2013 wef 01/07/2013]

(2) Upon receipt by him of a notice of cancellation of a Grant of Aid by the Director or the court, the retainer of any solicitor, if any, acting for the aided person to proceedings to which the Grant relates shall as soon as practicable determine.

[S 355/2013 wef 01/07/2013]

[S 400/2019 wef 31/05/2019]

(3) Upon determination of proceedings under this regulation —

(*a*) the costs of the proceedings, to which the Grant relates, incurred by or on behalf of the person to whom it was issued, shall, as soon as practicable thereafter, be taxed or,

as the case may be, assessed in accordance with these Regulations; and

[S 355/2013 wef 01/07/2013]

(*b*) the Fund shall remain liable for the payment of any costs so taxed or assessed.

(4) Where a Grant of Aid has been cancelled, section 22A of the Act shall apply to any property recovered or preserved as a result of the person, whose Grant has been cancelled, continuing to be a party to the proceedings to which the cancelled Grant relates.

[S 355/2013 wef 01/07/2013]

[S 400/2019 wef 31/05/2019]

(5) Where a Grant of Aid has been cancelled, the person to whom the Grant was issued shall remain liable for the payment of his maximum contribution, if any, as determined by the Director up to the amount paid or payable by the Director under paragraph (3)(*b*), and where he continues to take, defend or be a party to the proceedings to which the Grant relates —

(*a*) section 16 of the Act, which relates to sums recovered by virtue of a settlement or compromise relating to costs made in favour of an aided person, shall apply in so far as the costs were incurred while he was an aided person; and

(*b*) section 14 of the Act, which relates to an aided person's liability by virtue of an order for costs made against him, shall apply in so far as the costs were incurred while he was an aided person.

[S 355/2013 wef 01/07/2013]

Legal aid granted after commencement of proceedings

10.—(1) Where, after proceedings have been instituted in any court, any party becomes an aided person in regard to those proceedings, the Fund shall only be liable to so much of the costs of the proceedings as are incurred while a Grant of Aid is in force.

[S 355/2013 wef 01/07/2013]

(2) Any solicitor, who has acted in the proceedings on behalf of the aided person before the date of the issue of a Grant of Aid, and any

solicitor, who has by law a lien on any documents necessary for the proceedings to which the Grant relates and who has delivered them up subject to his lien, may give notice of the fact to the Director.

[S 355/2013 wef 01/07/2013]

(3) Subject to this regulation, the Director must pay to the solicitor mentioned in paragraph (2) either of the following as the solicitor's costs:

(*a*) the costs payable to the solicitor by his own client under an order for taxation of such costs by the court under the Rules of Court (Cap. 322, R 5) or the Family Justice Rules 2014 (G.N. No. S 813/2014);

(*b*) where no order mentioned in sub-paragraph (*a*) has been made, such costs as decided by the Director.

[S 400/2019 wef 31/05/2019]

(4) The sum available to the Director to pay the solicitor's costs (called in this regulation the available sum) must be calculated in accordance with the formula A − B − C where —

(*a*) A is the total amount of damages recovered for the aided person in the proceedings and costs recovered by the aided person and paid to the Director under section 16(3) of the Act;

[S 235/2024 wef 31/12/2021]

(*b*) B is the total amount of costs applied in the first instance under section 16(6) of the Act, in and towards satisfaction of the fees, charges and sums mentioned in section 16(5)(*b*) and (*c*) of the Act; and

[S 235/2024 wef 31/12/2021]

(*c*) C is any sum remaining unpaid on account of the aided person's contribution, for which there is a first charge under section 22A(3) of the Act.

[S 400/2019 wef 31/05/2019]

(5) If the available sum is insufficient to pay the solicitor's costs and meet the net liability of the Fund, the Director must divide the

available sum in proportion to the amount owing to the solicitor and the Fund, respectively.

[S 400/2019 wef 31/05/2019]

Refusal of Grant of Aid

11.—(1) Where a person has applied for and has been refused legal aid, or has had his Grant of Aid cancelled, on a total of 3 or more occasions and it appears to the Director that he has abused the facilities provided by the Act, the Director may order that no consideration shall be given to any future application by that person for a Grant of Aid with regard to any particular matter for a period not exceeding 3 years from the date of the order.

[S 355/2013 wef 01/07/2013]

(2) This regulation shall apply to an application for legal aid made by any person on behalf of a minor.

[S 355/2013 wef 01/07/2013]

Conduct of proceedings by aided person's solicitor

12.—(1) Every set of papers delivered by the Director to a solicitor acting for an aided person shall be marked with the words "Legal Aid".

(2) Where it appears to the aided person's solicitor necessary for the proper conduct of the proceedings to take or to apply to the court for leave to take any one or more of the following steps, namely:

(*a*) to add any further party to the proceedings;

(*b*) to request any record of any proceedings;

(*c*) to lodge any interlocutory appeal;

(*d*) to instruct more than one solicitor; or

(*e*) to set-up or set-off any right or claim having the same effect as a cross-action (other than a counterclaim or set-off arising out of the same transaction and capable of being pleaded as a defence) or to reply to any right or claim so set-up or so set-off by any other party,

he shall (unless the Grant of Aid provides for the act in question to be done) apply to the Director for authority to do so, and no payment shall be allowed on taxation for any such step taken without the approval of the Director.

[S 355/2013 wef 01/07/2013]

(3) The Director may give general authority to solicitors acting for aided persons in any particular class of cases to obtain experts' opinion and to tender expert evidence, and if so he shall state the maximum fee to be paid for any report or opinion or the expert witness.

(4) Where it appears to an aided person's solicitor necessary for the proper conduct of the proceedings —

(*a*) to obtain a report or opinion of one or more experts or to tender expert evidence in a case of a class not included in any general authority under paragraph (3); or

(*b*) in a case of a class so included, to pay a higher fee than that stated by the Director or to obtain more reports or opinions or to tender more experts as witnesses than have been authorised,

he may apply to the Director for authority to do so and if the Director gives the authority, he shall state the maximum number of reports or opinions that may be obtained or the maximum number of persons who may be tendered to give expert evidence and the maximum total fee to be paid therefor.

(5) Except as provided by this regulation, no payment shall be made for the report or opinion of an expert or for expert evidence tendered by or on behalf of an aided person.

(6) Where it appears to the aided person's solicitor necessary for the proper conduct of the proceedings that a certain act should be done, but that act is either unusual in its nature or involves unusually large expenditure, he may request the Director's prior approval to carry out the act and, where such prior approval has been obtained, no question as to the propriety of the act shall be raised on taxation as between solicitor and client in accordance with regulation 15.

(7) Without prejudice to the right of a solicitor to discharge himself from acting for a client for a good reason, any solicitor may discharge himself from acting for an aided person if, in his opinion, the aided person has required the solicitor to conduct the proceedings in such a manner so as to incur an unjustifiable expense to the Fund or has unreasonably insisted on the continuance of the proceedings.

(8) Where any solicitor exercises the right to discharge himself —

(*a*) pursuant to paragraph (7); or

(*b*) on the ground that the aided person has wilfully failed to provide any information required by him or that the aided person in furnishing the information has knowingly made a false representation,

the solicitor shall make a report to the Director of the circumstances in which that right was exercised.

(9) No solicitor acting for an aided person shall entrust the conduct of any part of the case to any other person.

(10) An aided person's solicitor shall give the Director such information regarding the progress and disposal of proceedings to which the Grant relates as the Director may, from time to time, require for the purpose of performing his functions under the Act and, without prejudice to the generality of the foregoing, a solicitor who has acted or is acting for an aided person shall, on being satisfied that the aided person has died or has had a bankruptcy order made against the aided person (whether in Singapore or elsewhere), report that fact to the Director.

[S 355/2013 wef 01/07/2013]

[S 692/2019 wef 16/10/2019]

(11) [*Deleted by S 355/2013 wef 01/07/2013*]

Documents available to aided person

12A. For the purposes of section 12(4)(*b*) of the Act, an aided person is entitled to be supplied a copy of each of the following other documents free of charge:

(*a*) the grounds of decision in any proceedings to which the Grant of Aid relates;

(*b*) the certified transcript of every official record of hearing in relation to any proceedings to which the Grant of Aid relates.

[S 400/2019 wef 31/05/2019]

Appeal by aided persons

12B. For the purposes of section 18(1) of the Act, the prescribed time to make an application for legal aid in respect of any appeal from any proceedings is 5 working days before the last day to file a notice of appeal in respect of those proceedings fixed by the court by or under any written law.

[S 400/2019 wef 31/05/2019]

Service of documents

13.—(1) Any document required to be served under any provision of the Act or these Regulations shall be served either personally or by registered post to the last known address of the person required to be served.

(2) Whenever an aided person becomes a party to proceedings, or a party to proceedings becomes an aided person, the Director shall as soon as practicable serve a copy of any Grant of Aid or Provisional Grant of Aid issued by the Director on every other party to the proceedings.

[S 400/2019 wef 31/05/2019]

(3) A copy of any document referred to in this regulation shall be filed with the appropriate court and shall form part of the papers for use at the trial.

[S 355/2013 wef 01/07/2013]

Procedure relating to moneys payable to aided persons

14.—(1) Subject to paragraphs (2) and (7), all moneys payable to an aided person —

(*a*) by virtue of any order or agreement made in connection with the action, cause or matter to which his Grant of Aid

relates, whether the agreement be made before or after proceedings are actually begun; or

(*b*) being moneys paid into court by any party and which are due or accruing due to the aided person in any proceedings to which his Grant of Aid relates,

shall be paid or repaid, as the case may be, to the Director and no other person shall be capable of giving a good discharge for moneys so payable.

(2) Where the Director is satisfied that the moneys payable to him under paragraph (1) are in excess of the total amount to be paid or retained by him under paragraph (3), the Director may approve that the whole or any part of such excess be paid to the aided person directly.

(3) Upon receiving any moneys payable to him under paragraph (1), the Director shall —

(*a*) pay to the Fund or the aided person's solicitor, as the case may be, the costs of the proceedings as determined under regulation 15;

(*b*) retain any sum paid pursuant to an order or agreement for costs made in the aided person's favour;

(*c*) retain a sum equal to the amount (if any) remaining unpaid in respect of any contribution under section 22A(1) of the Act or any amount expended or advanced to meet out-of-pocket expenses under section 13(6) of the Act;

[S 400/2019 wef 31/05/2019]

[S 235/2024 wef 31/12/2021]

(*d*) retain any costs of proceedings taken by the Director under paragraph (4)(ii), in so far as such costs have not been recovered from the person against whom the proceedings have been taken; and

(*e*) pay the net balance of the moneys to the aided person.

(4) Where in any proceedings to which an aided person is a party —

(*a*) an order or agreement is made providing for the recovery or preservation of property for the benefit of the aided person and, by virtue of section 22A of the Act, there is a first charge on the property for the benefit of the Fund; or

[S 400/2019 wef 31/05/2019]

(*b*) an order or agreement is made for the payment of costs to the aided person,

the Director may —

(i) require the aided person to take such proceedings, being proceedings which may be taken under section 5 of the Act, as may be necessary to enforce or give effect to the order or agreement; or

(ii) proceed to enforce any such order or agreement for the payment of money by the issue in his name of such proceedings referred to in sub-paragraph (i) as the Director deems fit in any court, without reference to the aided person, if the aided person fails, refuses or is unable to take those proceedings or the Director is of the opinion that it is reasonable and expedient to do so having regard to the probable cost of proceedings and the likelihood of their being successful.

(5) Nothing in these Regulations shall be taken to require a Grant of Aid to be issued for the purposes of enforcement proceedings brought in the name of the Director pursuant to paragraph (4)(ii).

(6) The Director may defer the payment to an aided person's solicitor of the solicitor's costs in connection with the proceedings until the Director has, in his opinion, given effect to this regulation.

(7) This regulation shall not apply to any moneys payable under section 68, 69 or 70, or Chapters 4, 4A and 5 of Part 10, of the Women's Charter 1961, and for the purpose of section 22A(3) of the

Act, "property" shall not be taken as including any moneys so payable.

[S 400/2019 wef 31/05/2019]

[S 355/2013 wef 01/07/2013]

[S 235/2024 wef 31/12/2021]

Costs payable to solicitors

15.—(1) The sums allowed to a solicitor —

(*a*) in connection with proceedings in any court; or

(*b*) where there are no proceedings in any court, for investigating and reporting or giving an opinion upon an application for the grant of legal aid or giving legal advice,

shall be the full amount allowed on taxation of the costs on account of disbursements and 50% of the amount so allowed on account of solicitor and client costs, except that where the sum claimed by a solicitor who has been assigned cases by the Director on account of solicitor and client costs (including disbursements) does not exceed $1,000, the Director may, in his discretion, approve the payment of the costs without taxation.

(2) Where in any proceedings to which an aided person is a party, proceedings are, or have been, brought to an end without a direction having been given as to the aided person's costs being taxed as between solicitor and client in accordance with paragraph (1)(*a*), the aided person's costs shall be so taxed —

(*a*) in the court in which the proceedings were heard; or

(*b*) if the court in which the proceedings were heard has no power to award costs, then —

(i) in the case of a claim for costs not exceeding $50,000, in the State Courts; or

[S 150/2014 wef 07/03/2014]

(ii) in the case of a claim for costs exceeding $50,000, in the General Division of the High Court,

[S 1050/2020 wef 02/01/2021]

and the costs of the taxation shall be deemed to be costs in the proceedings to which the Grant of Aid relates.

(3) Where there are no proceedings in any court, the aided person's costs shall be taxed —

(*a*) in the case of a claim for costs not exceeding $50,000, in the State Courts; or

[S 150/2014 wef 07/03/2014]

(*b*) in the case of a claim for costs exceeding $50,000, in the General Division of the High Court,

[S 1050/2020 wef 02/01/2021]

and the costs of the taxation shall be deemed to be costs in the proceedings to which the Grant of Aid relates.

(4) For the purpose of paragraph (1), costs shall be taxed according to the ordinary rules applicable on a taxation between solicitor and client where the costs are to be paid out of a common fund in which the client and others are interested, except that no question shall be raised as to the propriety of any act for which prior approval was obtained under these Regulations.

(5) The sum payable to members of the board other than the Director shall be $50 for each sitting.

(6) Notwithstanding paragraphs (1) to (5), where the Director, by way of a tender system or otherwise, enters into any agreement with any solicitor to engage the services of the solicitor and to assign cases to him, the agreement may provide for the payment of solicitor and client costs (including disbursements) to the solicitor at such rates as may be agreed between the Director and the solicitor.

[S 355/2013 wef 01/07/2013]

16. [*Deleted by S 355/2013 wef 01/07/2013*]

Rules of court

17. Except as is otherwise provided by these Regulations, in any proceedings in any court to which an aided person is a party, the procedure shall be regulated by the rules of procedure for that court.

Scope of legal advice

18. For the purposes of section 20(2)(*b*) of the Act, legal advice consists only of advice and assistance in preparing either of the following legal documents:

(*a*) a will;

(*b*) a deed of separation.

[S 400/2019 wef 31/05/2019]

FIRST SCHEDULE

Regulations 3 and 8(1)(*f*)

PRESCRIBED MEANS CRITERIA

1. The prescribed means criteria for legal aid are all the following:

(*a*) the average per capita gross monthly household income for the household of the applicant during the relevant period must be $1,050 or lower;

[S 235/2024 wef 31/12/2021]

(*b*) on the date of the application, the applicant —

(i) is not the owner of any property; or

(ii) is the owner of only one property (whether by himself, or jointly with any other individual) that satisfies the requirements of sub-paragraph (*c*);

(*c*) where the applicant is the owner of a property —

(i) the property must be used by the applicant (whether by himself, or together with any other individual) as his place of residence; and

(ii) the annual value of that property during the relevant period must be $21,000 or lower;

[S 235/2024 wef 31/12/2021]

(*d*) the total amount of savings and investments of the applicant on the date of the application must be —

(i) in a case where the applicant is 60 years of age or older on the date of the application — $40,000 or lower; and

(ii) in any other case — $10,000 or lower.

FIRST SCHEDULE — *continued*

2. In this Schedule —

"annual value" has the meaning given by section 2(1) of the Property Tax Act 1960;

[S 235/2024 wef 31/12/2021]

"applicant" means an applicant for legal aid;

"application" means an application for legal aid;

"gross monthly household income", in relation to the household of an applicant, means the total sum of the gross monthly income payable for any month to the applicant and every other individual (if any) in that household;

"household", in relation to an applicant, means —

(*a*) the applicant; and

(*b*) every other individual (if any) who lives in the same place of residence as the applicant and is related to the applicant by adoption (by virtue of a court order in Singapore or elsewhere), blood or marriage;

"investment" excludes any investment, using moneys withdrawn from an applicant's account in the Central Provident Fund, made in accordance with the Central Provident Fund (Investment Schemes) Regulations (Rg 9);

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"owner", in relation to any property, includes —

(*a*) a purchaser of any property sold under Part 4 or 4B of the Housing and Development Act 1959; and

[S 235/2024 wef 31/12/2021]

(*b*) a purchaser of any property sold under an executive condominium scheme within the meaning of section 2(1) of the Executive Condominium Housing Scheme Act 1996;

[S 235/2024 wef 31/12/2021]

"per capita gross monthly household income", in relation to the household of the applicant, means the gross monthly household income of that household divided by the total number of individuals (including the applicant) in that household;

"place of residence" means the address specified on the applicant's identity card on the date of the application;

FIRST SCHEDULE — *continued*

"relevant period", in relation to an application, means a continuous period of 12 months immediately preceding the date of the application.

[S 692/2019 wef 16/10/2019]

SECOND SCHEDULE

Regulations 3A and 6(1)(*b*) and (2)

PRESCRIBED CLASSES OF PROCEEDINGS

1. Any of the following proceedings that are uncontested:

   (*a*) proceedings for adoption under the Adoption of Children Act 1939;

   [S 235/2024 wef 31/12/2021]

   (*b*) proceedings for guardianship under the Guardianship of Infants Act 1934;

   [S 235/2024 wef 31/12/2021]

   (*c*) proceedings for grant of letters of administration or grant of probate under the Probate and Administration Act 1934;

   [S 235/2024 wef 31/12/2021]

   (*d*) proceedings for a divorce under the Women's Charter 1961.

   [S 235/2024 wef 31/12/2021]

2. Any of the following proceedings under the Administration of Muslim Law Act 1966:

   (*a*) proceedings arising from a married man's pronouncement of divorce under section 46B(3) of that Act;

   (*b*) proceedings for a divorce under section 48(1) of that Act;

   (*c*) proceedings for a decree of fasakh under section 49(1)(*a*) or (*b*) of that Act.

   [S 692/2019 wef 16/10/2019]

   [S 235/2024 wef 31/12/2021]

LEGISLATIVE HISTORY

LEGAL AID AND ADVICE REGULATIONS (CHAPTER 160, RG 1)

This Legislative History is provided for the convenience of users of the Legal Aid and Advice Regulations. It is not part of these Regulations.

1. **1995 Revised Edition — Legal Aid and Advice Regulations**

   Date of operation : 1 October 1995

2. **G. N. No. S 299/2002 — Legal Aid and Advice (Amendment) Regulations 2002**

   Date of commencement : 26 April 2000

3. **G. N. No. S 428/2003 — Legal Aid and Advice (Amendment) Regulations 2003**

   Date of commencement : 2 September 2003

4. **G. N. No. S 399/2005 — Legal Aid and Advice (Amendment) Regulations 2005**

   Date of commencement : 15 July 2005

5. **G. N. No. S 309/2007 — Legal Aid and Advice (Amendment) Regulations 2007**

   Date of commencement : 1 July 2007

6. **G.N. No. S 612/2012 — Legal Aid and Advice (Amendment) Regulations 2012**

   Date of commencement : 1 January 2013

7. **G.N. No. S 355/2013 — Legal Aid and Advice (Amendment) Regulations 2013**

   Date of commencement : 1 July 2013

8. **G.N. No. S 150/2014 — Legal Aid and Advice (Amendment) Regulations 2014**

   Date of commencement : 7 March 2014

9. **G.N. No. S 271/2016 — Legal Aid and Advice (Amendment) Regulations 2016**

   Date of commencement : 10 June 2016

10. G.N. No. S 400/2019 — Legal Aid and Advice (Amendment) Regulations 2019

Date of commencement : 31 May 2019

11. G.N. No. S 692/2019 — Legal Aid and Advice (Amendment No. 2) Regulations 2019

Date of commencement : 16 October 2019

12. G.N. No. S 1050/2020 — Legal Aid and Advice (Amendment) Regulations 2020

Date of commencement : 2 January 2021

13. G.N. No. S 235/2024 — Legal Aid and Advice (Amendment) Regulations 2024

Date of commencement : 31 December 2021