



BERMUDA

LEGAL AID (GENERAL) REGULATIONS 1980

BR 70 / 1980

*[made by the Minister of Health and Social Services after consultation with the Chief Justice under the Legal Aid Act 1980 and brought into operation on 1 November 1980]*

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SCHEDULE

Citation

- 1 These Regulations may be cited as the Legal Aid (General) Regulations 1980.

Interpretation

- 2 (1) In these Regulations—

“the Act” means the Legal Aid Act 1980 [*title 8 item 37*];

“certificate” includes a temporary certificate granted under section 10(4) of the Act.

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(2) *[omitted]*

### Application for certificate

3 (1) Any person desiring legal aid may apply for legal aid in the Form I set out in the Schedule.

(2) Every application for legal aid shall contain such information and shall be accompanied by such documents as may be requisite to enable the Committee to determine—

- (a) the nature of the proceedings in relation to which legal aid is sought and the circumstances in which legal aid is required;
- (b) the question whether it is proper that a certificate should be granted; and
- (c) the disposable income and disposable capital of the applicant.

### Issue of certificate

4 (1) A certificate 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.

No certificate shall relate to proceedings (other than interlocutory appeals) both in a court of first instance and in an appellate court:

Provided that, where legal aid is granted to an applicant for his defence at a preliminary inquiry held under the Criminal Jurisdiction and Procedure Act 2015, the Committee may, if they think fit, issue a certificate in respect both of those proceedings and of any subsequent proceedings in the Supreme Court which result from his committal for trial thereat.

(2) A certificate shall not relate to more than one prosecution, action, cause or matter, but may include proceedings for the enforcement of any such order or agreement as is referred to in regulation 12.

(3) In assessing the amount of contribution, if any, payable in respect of any proceedings, the Committee shall have regard to their probable cost and to the Third Schedule to the Act.

(4) Where an application is approved relating to—

- (a) proceedings (other than interlocutory proceedings) in an appellate court in any action, cause or matter, in which the applicant was an aided person in the court below; or
- (b) proceedings by way of a new trial ordered by an appellate court before whom the applicant was an aided person,

the Committee shall not redetermine the applicant's disposable income and disposable capital but shall, save as hereinafter provided assess the amount of contribution, if any,

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payable in respect of the proceedings at the same amount as determined by the Committee in relation to the previous proceedings:

Provided that, if, since the last determination by the Committee of the disposable income and disposable capital of the applicant, his circumstances have altered otherwise than as a result of the payment of a contribution in respect of the previous proceedings, the Committee shall redetermine his disposable income and disposable capital and shall take into account any increase or decrease in the amount of his disposable income by an amount greater than fifty dollars a month and any increase in the amount of his disposable capital by an amount greater than five hundred dollars.

(5) In fixing the method by which any contribution shall be paid, the Committee shall have regard to all the circumstances, including the probable length of time which any certificate granted as a result of the application will be in force, and may order the contribution to be paid in instalments or the whole or a part of it to be paid before a certificate is issued.

(6) After the Committee has approved an application for a certificate they shall notify the applicant—

- (a) of the amount (if any) of his contribution as determined by them; and
- (b) of the terms upon which a certificate will be issued to him.

(7) An applicant who wishes a certificate to be issued to him on the terms notified to him by the Committee shall, within fourteen days of being so notified, signify his acceptance of those terms in the Form II set out in the Schedule and shall lodge it with the Committee.

(8) If those terms require a contribution to be paid, the applicant shall lodge with the Committee an undertaking to pay the contribution by the method stated in the terms and, if the contribution or any part of it is required to be paid before the certificate is issued, shall make that payment accordingly.

(9) When an applicant has complied with such of the provisions of paragraphs (7) and (8) as are relevant to his case, the committee shall issue a certificate in the Form III set out in the Schedule.

*[Regulation 4(1) amended by 2015 : 38 s. 91 effective 6 November 2015]*

Amendment of certificate

5 The Committee may amend a certificate—

- (a) where it appears to them that there has been some error or mistake in the certificate; or
- (b) when, in their opinion, it has become desirable either for the certificate to extend to other proceedings, being part of the same action, cause or matter to which the certificate relates, or proceedings for the enforcement of any such order or agreement as is referred to in regulation 12, or for the certificate not to extend to certain of the proceedings in respect of which it was issued; or

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- (c) when an assisted person desires to change his counsel or counsel gives up an assisted person's case.

### Temporary certificate

6 (1) Any person who desires legal aid as a matter of urgency may apply for a temporary certificate in the Form IV set out in the Schedule,

(2) An application for a temporary certificate shall give such information as may be requisite to enable the Committee to determine whether—

- (a) the applicant is likely to fulfil the conditions under which legal aid may be granted under the Act; and
- (b) it is in the interests of justice that the applicant should, as a matter of urgency, be granted legal aid,

and shall furnish such additional information and documents (if any) as may be sufficient to constitute an application for a legal aid certificate under the Act:

Provided that, if it appears to the Committee that the applicant cannot at the time of the application reasonably furnish that information, or any part of it, the Committee shall nevertheless have power to issue a temporary certificate subject to such conditions as to the furnishing of additional information as they think reasonable.

(3) A temporary certificate shall be in the Form V set out in the Schedule.

(4) A temporary certificate shall have the same effect in all respects as a legal aid certificate.

(5) A temporary certificate shall remain in force for a period of twenty-eight days, but the Committee may, unless a legal aid certificate has been issued in the meantime in respect of the same proceedings, at their discretion renew the grant of a temporary certificate for not more than two further successive periods of twenty-eight days:

Provided that if the Committee decides to refuse the grant of a legal aid certificate in respect of proceedings to which a temporary certificate relates they shall forthwith revoke the temporary certificate.

### Discharge and revocation

7 (1) A certificate may be either discharged or revoked by the Committee in the circumstances specified in this regulation.

(2) The Committee may discharge a certificate—

- (a) at any time at the request of the person to whom it is issued;
- (b) where an assisted person has been required to make a contribution and any payment in respect thereof is more than thirty days in arrears;
- (c) if they are satisfied that the proceedings to which the certificate relates have been disposed of;

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- (d) where they are satisfied that the aided person has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Consolidated Fund or has required unreasonably that the proceedings be continued:

Provided that a certificate shall not be discharged under this sub-paragraph until the assisted person has been given an opportunity to show cause why the certificate should not be discharged;

- (e) if they are satisfied that the assisted person has died.
- (3) The Committee shall discharge a certificate if—
- (a) as a result of a further determination they are satisfied that—
    - (i) the disposable income of an assisted person exceeds \$18,000 per year or such other amount as may have been substituted there for by orders under section 19(1) of the Act; or
    - (ii) the disposable capital of an aided person exceeds \$20,000 or such other amount as may have been substituted therefor by order under section 19(1) of the Act;
  - (b) as a result of any information coming to their knowledge they consider that the assisted person no longer has reasonable grounds for taking, defending or being a party to the proceedings or, as the case may be, that it is unreasonable in the particular circumstances for him to continue to receive legal aid:

Provided that a certificate shall not be discharged under this paragraph until the assisted person has been given an opportunity to show cause why the certificate should not be discharged.

(4) Where the Committee is satisfied that an aided person has wilfully failed to comply with these regulations as to information to be furnished by him, or, in furnishing any such information has knowingly made a false statement or false representation, they may if they think fit—

- (a) where such omission or act occurred prior to the issue of a certificate, revoke the certificate; or
- (b) where such omission or act occurred after the issue of the certificate, discharge the certificate from the date upon which such omission or act occurred.

(5) When the Committee revokes or discharges an aided person's certificate it shall forthwith issue a notice of discharge or revocation to the assisted person.

*[Regulation 7 paragraph (3) amended by 2011 : 22 s. 11 effective 1 August 2011]*

Effect of discharge and revocation

8 (1) Subject to this regulation, a person whose certificate is revoked shall be deemed never to have been an assisted person in the proceedings to which the certificate related,

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and a person whose certificate is discharged shall, from the date of discharge, cease to be an assisted person in these proceedings.

(2) Upon receipt by him of notice of revocation or discharge of a certificate by the Committee or upon revocation or discharge of a certificate by the court, the retainer of any counsel acting for the aided person in proceedings to which the certificate relates shall forthwith determine.

(3) Upon determination of proceedings under this regulation—

- (a) the costs of the proceedings to which the certificate related, 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;
- (b) the Consolidated Fund shall remain liable for the payment of any costs so taxed or assessed.

(4) Where a certificate has been revoked—

- (a) the Accountant General shall have the right to recover from the person to whom the certificate was issued the costs paid or payable under paragraph (3)(b) less any amount received from him by way of contribution; and
- (b) the counsel who has acted in the proceedings shall have the right to recover from that person the difference between the amount paid or payable by the Accountant General and the full amount of his counsel and own client costs as taxed or agreed.

(5) Where a certificate has been discharged the person to whom the certificate was issued shall remain liable for the payment of his contribution, if any, as determined by the Committee up to the amount paid or payable by the Accountant General under paragraph (3) (b) .

### Legal aid after commencement of proceedings

9 (1) Where, after proceedings have been instituted in any court, any party becomes an assisted person in regard to those same proceedings, the Consolidated Fund shall only be liable to pay so much of his costs of those proceedings as are incurred while a certificate is in force.

(2) Any counsel who has acted in the proceedings on behalf of the aided person before the date of the certificate, and any counsel who has by law a lien on any documents necessary for the proceedings to which the certificate relates and who has delivered them up subject to his lien, may give notice of the fact to the Committee.

### Certificates; general provisions

10 (1) Where a person has applied for and has been refused a certificate on more than four occasions and it appears to the Committee that his conduct has amounted to an abuse of the facilities provided by the Act, the Committee may order that no consideration shall be given to any future application by that person for a certificate with regard to any particular matter.

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(2) No such direction shall—

- (a) apply to any application by that person on behalf of an infant; or
- (b) remain in force for a period longer than three years.

(3) Where it appears to the aided person's counsel 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; or
- (b) to bespeak any official record of any proceedings; or
- (c) to lodge any interlocutory appeal; or
- (d) to instruct more than one counsel; or
- (e) to set up or set off any right or claim having the same effect as a cross-action (other than a counter-claim 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 certificate provides for the act in question to be done) apply to the Committee for authority so to do, and no payment shall be allowed on taxation for any such step taken without the approval of the Committee,

(4) The Committee may give general or specific authority to counsel acting for an assisted person in any particular case or class of case to obtain experts' opinion and to tender expert evidence, and if so they shall state the maximum fee to be paid for any report or opinion or expert witness.

(5) Where it appears to an assisted person's counsel necessary for the proper conduct of the proceedings either—

- (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 Committee or to obtain more reports or opinions or to tender more experts as witnesses than have been authorized,

he may apply to the committee for authority so to do and if the Committee gives authority they 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.

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

(7) Where it appears to the aided person's counsel necessary for the proper conduct of the proceedings for an act to be done, but that act is either unusual in its nature or involves unusually large expenditure, he may request the Committee's prior approval of

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the act, and, where such prior approval has been obtained, no question as to the propriety of the act shall be raised on taxation.

(8) Without prejudice to the right of counsel to give up a case for good reason, any counsel may give up an assisted person's case if, in his opinion, the assisted person has required the proceedings to be conducted unreasonably so as to incur an unjustifiable expense to the Consolidated Fund or has required unreasonably that the proceedings be continued.

(9) Where any counsel exercises the right to give up an aided person's case—

- (a) under paragraph (8); or
- (b) on the ground that the assisted person has wilfully failed to provide the information to be furnished by him or in furnishing such information has knowingly made a false representation,

the counsel shall make a report to the Committee of the circumstances in which that right was exercised.

(10) An assisted person's counsel shall give the Committee information regarding the progress and disposal of proceedings to which the certificate relates as the Committee may from time to time require for the purpose of performing their functions under the Act and without prejudice to the generality of the preceding words, a counsel who has acted, or is acting for an assisted person, on being satisfied that the assisted person has died, shall report the facts to the Committee forthwith.

(11) A counsel shall not be precluded, by reason of any privilege arising out of the relationship between counsel and client from disclosing to the Committee any information or from giving any opinion which may enable the Committee to perform their functions under the Act.

(12) The Committee may at any time, while a certificate is in force, pay to the assisted person's counsel such sums as the Committee may approve for disbursements to be made by the counsel in respect of the proceedings to which the certificate relates. Where such approval is obtained, no question shall be raised on taxation as to the propriety of any disbursements made in accordance with such approval.

Service

11 (1) Any notice or notification required to be served under any provision of the Act shall be served either personally or by registered post to the last known address of the person required to be served.

(2) Whenever an assisted person becomes a party to proceedings, or a party to proceedings becomes an assisted person, the Committee shall forthwith serve all other parties with a notice thereof and the aided person's counsel shall, if at any time thereafter any other person becomes a party to the proceedings, forthwith serve similar notice upon such person.

(3) The Committee shall forthwith serve copies of any legal aid certificate or emergency certificate issued by them on all parties to the proceedings.

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(4) Copies of notices referred to in this regulation shall be filed in the appropriate court office or registry and shall form part of the papers for the use of the judge at the trial.

Civil proceedings; award of costs to be enforced

12 (1) Where in any civil proceedings to which an assisted person is a party an order or agreement is made for the payment of costs to the assisted person he shall, subject to paragraph (2), take such proceedings on behalf of the Consolidated Fund as may be necessary to enforce or give effect to such order or agreement.

(2) Any assisted person may apply to the Committee for a direction that paragraph (3) shall not apply to him on the ground that, having regard to the probable cost of any proceedings referred to or to the likelihood of their being successful, it would be unreasonable to take them and, if the Committee agrees, they shall direct that the proceedings be not taken and shall amend the assisted person's certificate so as to exclude such proceedings therefrom.

The power conferred on the Committee by this paragraph may be exercised without an application being made by an assisted person.

(3) Where the Committee, having directed that proceedings be not taken by the assisted person, is of the opinion that it is expedient so to do they may enforce any order for the payment of money in their name for the benefit of the Consolidated Fund.

Roster of counsel

13 (1) The Committee shall maintain separate rosters containing the names of counsel willing to act for assisted persons in—

- (a) criminal prosecutions (including criminal appeals);
- (b) civil actions and appeals therefrom;
- (c) matrimonial and affiliation proceedings.

(2) The Committee shall also maintain a roster of duty counsel willing to attend at the Magistrates' Court on particular days and there to afford legal advice to persons charged with specified criminal offences as provided by section 7 of the Act.

(3) The Committee shall enter on the appropriate roster any limitation as to the number of proceedings per annum in which counsel is prepared to act for assisted persons and shall give effect to such limitation.

(4) For the removal of doubt, it is hereby declared that where any counsel is assigned for the purpose of any proceedings any other counsel in the same firm may act for the assisted person therein.

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SCHEDULE

FORM I

LEGAL AID ACT 1980

APPLICATION FOR LEGAL AID

1 I, [blank]  
(Full name of applicant in block letters. State Mr., Mrs., Miss etc.)  
of [blank]  
(Home address and occupation)

Hereby apply for legal aid under the Legal Aid Act 1980 for the following purposes:

.....  
.....  
.....  
.....

(Note: Describe clearly the nature of the case for which you wish to obtain legal aid and whether you are bringing or defending the case. The description need not be long but you must state clearly whether it is a civil or criminal case and what kind of case it is—i.e. divorce, negligence, trespass, etc. If it is a criminal case, you must state precisely the nature of the criminal offence (e.g. robbery, assault, grievous bodily harm, etc.); Legal Aid is not available for some kinds of criminal cases, i.e., those that can *only* be tried in a Magistrate's Court)

2 (a) Dwellings:

I own the following dwellings, which have the annual rental values under the Land Valuation and Tax Act 1967 and the gross values (before deductions of the balances owing on mortgages and charges) shown below in relation to those dwellings:

Dwelling	Annual Rental Value	Gross Value
1) .....	1) .....	1) .....
2) .....	2) .....	2) .....
3) .....	3) .....	3) .....
	Total:	Total:

(b) Other Assets:

I own the following other assets which have the values shown below opposite them:

(Note: Here list all other assets of whatever kind (e.g. car, boat, shares) owned by you including Real Estate; except (i) any dwellings already specified in 2(a) above and (ii) your wearing apparel, tools of trade, and household furniture and effects).

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Assets	Value
1) .....	1) .....
2) .....	2) .....
3) .....	3) .....
4) .....	4) .....
5) .....	5) .....
Total value of other assets:	

3 Statement of liabilities

I have the following liabilities (here list all liabilities of a capital nature, e.g. outstanding mortgages, loans and other debts)

Item	Balance Owing
1) .....	1) .....
2) .....	2) .....
3) .....	3) .....
4) .....	4) .....
5) .....	5) .....
Total liabilities:	

4 Statement of Household Income

(a) My income, that is to say the aggregate gross income of all members of the household of which I am a member, from all sources for the period of 12 months immediately preceding the date of this application, was as follows:

Name of Household Member	Employer/other source of income	Amount received during the 12 months period
1) .....	1) .....	1) .....
2) .....	2) .....	2) .....
3) .....	3) .....	3) .....
4) .....	4) .....	4) .....
5) .....	5) .....	5) .....
Total household income:		

[(b) (To be completed only if applicant wishes the Legal Aid Committee, in assessing the true current financial situation of the applicant, to take into account a period of 12 months other than the one immediately preceding the date of the application)]

(i) I wish the Legal Aid Committee, in assessing my disposable income, to have regard to my income during the period of 12 months from [blank] (specified period) to [blank].

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(ii) The reasons why I wish to have that period taken into account are as follows: (specify)

.....  
 .....

(iii) My income (i.e. the aggregate gross income of all members of the household of which I am a member) during that period from all sources was:

Name of Household Member		Employer/other source of income	Amount received during the period
1)	.....	1) .....	1) .....
2)	.....	2) .....	2) .....
3)	.....	3) .....	3) .....
4)	.....	4) .....	4) .....
5)	.....	5) .....	5) .....
Total household income:			_____

5 Allowances claimed

For the purposes of calculating my disposable income, I claim the following allowances.

(a) For my spouse (claim \$2000).....

(b) For the following members of my household (whether or not under 21 years of age) who are not financially independent (set out names and ages of all persons, including children, and claim \$2000 each)

Name of dependant	Allowance claimed
1) .....	1) .....
2) .....	2) .....
3) .....	3) .....
4) .....	4) .....
Total allowances claimed under (b):	
\$ _____	

(c) For the following person/persons under the age of 18 years, not being members of my household, who are supported by me pursuant to a Court Order or otherwise (specify names and ages, and specify and claim amounts actually paid annually for such support).

- 1) .....
- 2) .....

Total allowances claimed under (c): \$ \_\_\_\_\_

(d) Rent/mortgage interest paid annually in respect of the premises where my household lives (claim actual amount of rent or mortgage interest paid

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annually)(Maximum allowance \$9600)(attach proof of interest claimed, e.g. letter from banker)

Dated this [blank] day of [blank] 19 [blank]

(Signature of applicant)

SPECIAL NOTICE TO APPLICANTS

Section 15 of the Legal Aid Act 1980 provides as follows—

“Any applicant or assisted person who for the purposes of this Act knowingly makes any false statement or knowingly supplies any false information commits an offence:

Punishment on summary conviction: imprisonment for 6 months or a fine of \$1,000.”.

STATUTORY DECLARATION BY APPLICANT

I, [blank] (Name in full of applicant) of [blank] (Address and occupation)

being the applicant in the above written application do solemnly and sincerely declare that the statements made by me in the application are true and correct to the best of my knowledge and belief.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

(Signature of applicant)

Declared at Bermuda this [blank] day of [blank] 19 [blank].

Before me,

[blank]

Commissioner for Oaths

*[Form I in Schedule replaced by BR 48/1989 effective 1 December 1989; and para 5(c) amended by 2001:20 s.7(1) & Sch 2 effective 1 November 2001]*

FORM II

(Reg. 4(7))

LEGAL AID ACT 1980

ACCEPTANCE OF OFFER OF LEGAL AID CERTIFICATE

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I, <sup>1</sup> [blank] understand that the Legal Aid Committee is prepared to issue to me a legal aid certificate upon my accepting the terms and conditions set out below. [I enclose \$ [blank] as required by paragraph 2 of the terms and conditions.]

[blank]  
Signature

Date [blank]

To: The Legal Aid Committee

TERMS AND CONDITIONS

1 My certificate shall relate to the following proceedings—  
[blank]

2 The contribution which I have to make towards my costs of the proceedings if \$ [blank] payable—  
[by a first instalment of \$ [blank]]  
[and thereafter by [blank] further (monthly) payments of \$ [blank]]  
[and each falling due [blank] (monthly) after the previous payment fell due.]

3 If while my legal aid certificate is in force my means change in either an increase or decrease of my income or capital I am immediately to disclose such alteration to the Committee and this may lead to a change in the amount of my contribution, which I am required to pay under condition 2 above, or to the discharge of my legal aid certificate.

4 [Special conditions, if any.]

[blank]  
Signature

FORM III

(Reg. 4(9))

LEGAL AID ACT 1980

LEGAL AID CERTIFICATE

UPON considering the application made by [blank] of [blank] to be granted legal aid under the Legal Aid Act 1980, I CERTIFY that the said [blank] is entitled to legal aid under the said Act.

Legal aid has been granted for the purpose of [blank]

Dated at Hamilton, Bermuda this [blank] day of [blank] 19 [blank].

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<sup>1</sup> Name and address of applicant.

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[blank]  
for Legal Aid Committee

I have assigned Mr. [blank] of [blank] to act as counsel for the assisted person referred to in the above certificate.

Dated at Hamilton, Bermuda this [blank] day of [blank] 19 [blank].

[blank]  
for Legal Aid Committee

FORM IV

(Reg. 6(1))

LEGAL AID ACT 1980

APPLICATION FOR TEMPORARY CERTIFICATE

PART I

I, <sup>2</sup> [blank] declare as follows—

1 The address at which I am at present living is <sup>3</sup> [blank].

2 I was born on the [blank] day of [blank] 19 [blank].

3 I apply for a temporary legal aid certificate to enable me to <sup>4</sup> [blank].

4 The following are the reasons why my application is specially urgent and which make it necessary for me to have a temporary certificate—

<sup>5</sup> [blank]

5 The person[s] [against whom I wish to take proceedings] [taking proceedings against me] [is] [are] <sup>6, 7</sup>

6 My income is \$ [blank] and my savings, capital and other property amount to \$ [blank]. I therefore believe that my means are such as to entitle me to Legal Aid.

<sup>8</sup> [I attach completed application for a Legal Aid Certificate.]

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2 Full name in block letters. State whether Mr., Mrs., Miss etc.

3 Full postal address in block letters.

4 State what you wish to do; e.g. "defend criminal proceedings on a charge of house-breaking".

5 Set out reasons.

6 State name(s) and address(es).

7 Strike out the words in square brackets which do not apply.

8 Delete where inapplicable.

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\*8 [I am unable for the reasons set out in Part II to submit a completed form of application for a Legal Aid Certificate, but undertake to do so as soon as possible.]

[I have also set out in Part III the facts of my case.]

9 I agree that—

(a) If after a temporary certificate is issued to me a legal aid certificate is issued to me, I may have to pay to the Committee by such method as they may fix, such sums as the Committee may assess subject to the provisions of the Legal Aid Act 1980.

(b) If the temporary certificate is revoked<sup>9</sup> or deemed to have been revoked, I will pay—

(i) to the Committee such sum as has been paid or shall be payable by the Committee to the counsel (if any) who has represented me in the proceedings to which the temporary certificate related; and

(ii) to the Committee such further sum (if any) as may be payable by them in respect of the certificate.

10 I declare that to the best of my knowledge, information and belief, the information given in this form is true.

11 I understand that I may be required by the Committee to supply further information in connexion with my application.

[blank]  
Signature

Date [blank]

SPECIAL NOTICE TO APPLICANTS

Section 15 of the Legal Aid Act 1980 provides as follows—

“Any applicant or assisted person who for the purposes of this Act knowingly makes any false statement or knowingly supplies any false information commits an offence:

Punishment on summary conviction: imprisonment for 6 months or a fine of \$1,000.”.

PART II<sup>10</sup>

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9 Unless a Legal Aid Certificate is issued whilst the Temporary Certificate is in force, the Temporary Certificate will be revoked and you will be liable for the full costs incurred on your behalf.

10 This Part should only be completed if you are unable to submit an application for a full Legal Aid Certificate.

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I am unable to submit a completed form of application for a legal aid certificate for the following reasons—

[blank]

PART III<sup>(h)</sup>

The facts of my case are as follows—

<sup>11</sup> [blank]

FORM V

(Reg. 6(3))

LEGAL AID ACT

TEMPORARY CERTIFICATE

UPON considering the application made by [blank] of [blank] to be granted legal aid under the Legal Aid Act 1980, I CERTIFY that the said [blank] is entitled to legal aid under the said Act.

Legal aid has been granted for the purposes of [blank]

This is further to certify that this certificate, being a temporary certificate, remains in force for a period of 28 days from the date hereof, unless renewed by the Committee for one or two such further periods, unless it is previously revoked or is replaced by a legal aid certificate.

Dated at Hamilton, Bermuda this [blank] day of [blank] 19 [blank].

[blank]  
for Legal Aid Committee

I have assigned Mr. [blank] of [blank] to act as counsel for the assisted person referred to in the above certificate.

Dated at Hamilton, Bermuda this [blank] day of [blank] 19 [blank].

[blank]  
for Legal Aid Committee

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[Amended by:

BR 48 / 1989  
2001 : 20  
2011 : 22  
2015 : 38]

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11 In an accident case give details of your injuries and state when and how the accident happened. In a matrimonial case give full details of your marriage, matrimonial life and the events which led to the break-up, including dates.