

AUSTRALIAN CAPITAL TERRITORY

Legal Aid (Amendment) Ordinance 1988

No. 41 of 1988

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 12 July 1988.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

GARY PUNCH
Minister of State for the Arts
and Territories

An Ordinance to amend the *Legal Aid Ordinance 1977*

Short title

1. This Ordinance may be cited as the *Legal Aid (Amendment) Ordinance 1988*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Legal Aid Ordinance 1977*.²

Circumstances in which legal assistance may be provided

3. Section 28 of the Principal Ordinance is amended by inserting in subsection (1) "and section 28A" after "section".

Insertion

4. After section 28 of the Principal Ordinance the following section is inserted:

Legal assistance under the Convention

“28A. (1) Where—

- (a) a person makes an application for legal assistance for the purpose of securing the recognition or enforcement of a decision given in proceedings in a Contracting State within the meaning of the Convention; and
- (b) a Legal Aid Committee, the Chief Executive Officer or another officer of the Commission authorised under section 26 is satisfied that in accordance with Article 1 of the Convention, the person has received legal aid for those proceedings;

the person is entitled to the provision of legal assistance.

“(2) In this section, ‘the Convention’ means the Convention on International Access to Justice adopted by the Fourteenth Session of the Hague Conference on Private International Law and signed at the Hague on 25 October 1980.”

NOTES

- 1. Notified in the *Commonwealth of Australia Gazette* on 20 July 1988.
- 2. No. 31, 1977 as amended by Nos. 29 and 46, 1978; No. 15, 1980; No. 84, 1982; Nos. 3 and 55, 1984; No. 1, 1985; No. 63, 1986.