



---

**An Bille um Chúnamh Dlíthiúil Sibhialta (Luach  
Cothaithe Saor in Aisce nó Saor in Aisce go Páirteach a  
Eisiamh) (Leasú), 2021**  
**Civil Legal Aid (Exclusion of Value of Free Or Partly  
Free Board) (Amendment) Bill 2021**

---

*Meabhrán Míniúcháin*  
*Explanatory Memorandum*

---





---

**AN BILLE UM CHÚNAMH DLÍTHIÚIL SIBHIALTA (LUACH  
COTHAITHE SAOR IN AISCE NÓ SAOR IN AISCE GO  
PÁIRTEACH A EISIAMH) (LEASÚ), 2021  
CIVIL LEGAL AID (EXCLUSION OF VALUE OF FREE OR  
PARTLY FREE BOARD) (AMENDMENT) BILL 2021**

---

**EXPLANATORY MEMORANDUM**

---

**General**

The main purpose of the Bill is to provide for the following:

The exclusion of free and partly free board when assessing an applicant's income for eligibility for accessing civil legal aid.

- Under the Civil Legal Aid Regulations 2017, the reference to free and partly free board in section 15(1)(e) has resulted in some low-income applicants being denied civil legal aid.
- This interpretation of the regulations is particularly problematic for applicants in receipt of Housing Assistance Payment which is a payment paid directly to the landlord by the Local Authority but is being treated as income by the Civil Legal Aid Board.

**Provisions of the Bill**

To amend section 37(2)(c) of the Civil Legal Aid Act 1995 to exclude the value of free or partly free board.

*Senators Lynn Boylan, Niall Ó Donnghaile, Paul Gavan and  
Fintan Warfield  
Bealtaine, 2021.*