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Where an individual seeking legal aid services applies for certificate services, a person responsible in relation to the individual may be required to contribute to the cost of the individual's legal aid services pursuant to the Rules.

"Person responsible", in relation to an individual, is defined in section 1(1) of the Legal Aid Services Rules as:

- (a) a person who is legally responsible for financially supporting the individual
- (b) a person who, in the opinion of the Corporation
  - i. usually contributes to the individual's financial support
  - ii. it is reasonable to expect would contribute to the individual's financial support; or
  - iii. has made or is likely to make financial resources available to the individual
- (c) a person who voluntarily contributes to the cost of providing legal aid services to the individual
- (d) a person who would, in the Corporation's opinion, receive a direct benefit if legal aid services were provided to the individual

A "person responsible" may include but is not limited to:

- A relative who is legally responsible to support an individual financially, unless the relative has an opposing interest in the matter for which legal aid services are sought
- A person who has contributed to the cost of providing legal services to the individual in the past, including by entering into an agreement with LAO
- A person who posts cash bail with the court to secure the release of an individual

A person responsible generally would not include:

- a relative with whom the individual is staying temporarily while looking for employment

- a relative who gives the individual occasional gifts, unless there are other indications of financial support

Factors that LAO considers when determining whether there is a person responsible in relation to an individual include:

- the individual's lifestyle in relation to their disclosed income and assets
- whether there is a person who usually gives the individual financial support
- the relationship between the individual and the potential person responsible
- whether there is a person who is legally responsible to provide support to the individual
- the income and assets of the potential person responsible
- whether the individual's relationship and history with the potential person responsible supports a reasonable expectation that they are, have been in the past, or would be in the future, a source of financial support to the individual
- whether the potential person responsible is someone from whom the individual might reasonably expect financial assistance in the circumstances the individual is facing
- whether the resources of the potential person responsible are likely to be made available to the individual
- whether the potential person responsible has contributed in the past to the cost of the individual's legal services

If LAO requires contribution towards the cost of providing legal aid services to an individual, and the individual or person responsible for the individual refuses to contribute, the individual will be considered to have refused to receive legal aid services.