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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 181**

**LEGAL AID AND ADVICE**

**The Advice and Assistance (Scotland)  
Amendment Regulations 2000**

<i>Made</i>	- - - -	<i>13th June 2000</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>15th June 2000</i>
<i>Coming into force</i>	- -	<i>7th July 2000</i>

The Scottish Ministers, in exercise of the powers conferred on them by sections 33(2)(b), (3)(b) and (f), 36(1), (2)(d) and (e), 37(1) and 42 of the Legal Aid (Scotland) Act 1986(1) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Advice and Assistance (Scotland) Amendment Regulations 2000 and shall come into force on 7th July 2000.

(2) In these Regulations, “the principal Regulations” means the Advice and Assistance (Scotland) Regulations 1996(2).

**Amendment of principal Regulations**

2.—(1) The principal Regulations shall be amended in accordance with the following paragraphs.

(2) In regulation 4(a) (applications for advice and assistance), after the words “income support” there is inserted “, an income-based jobseeker’s allowance (payable under the Jobseekers Act 1995)”.

(3) In paragraph 7(c) of Schedule 2 (assessment of disposable capital and disposable income)(3)–

(a) in paragraphs (ii) and (iii), after the word “column” for the figure “2” there is substituted “(2)”; and

(b) in paragraph (iii)–

(i) for “2(1)(c)” there is substituted “2(1)(b)”; and

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(1) 1986 c. 47; section 37 was amended by S.I. 1999/1820, Schedule 2 paragraph 86(4). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(2) S.I. 1996/2447, as amended by S.I. 1997/726 and S.I. 1998/724.  
(3) Paragraph 7(c) was substituted by S.I. 1998/724, regulation 5(c).

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- (ii) there is inserted at the end “as at the date when the application for advice and assistance is made”.
- (4) In Schedule 3 (table of fees allowable to solicitors)–
- (a) in paragraph 1(a)(iii) of Part I (table of fees allowable to solicitors for assistance by way of representation), for “rule 113 of the Act of Adjournal (Consolidation) 1988” there is substituted “rule 31.1 of the Act of Adjournal (Criminal Procedure Rules) 1996(4)”; and
  - (b) in paragraph 1.D of Part II (table of fees allowed to solicitors for advice and assistance other than assistance by way of representation), the words “for each subsequent sheet of 250 words” where they first occur are omitted.

St Andrew’s House,  
Edinburgh  
13th June 2000

*JAMES R WALLACE*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Advice and Assistance (Scotland) Regulations 1996 (“the principal Regulations”) so as to make minor technical and drafting amendments.