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SCOTTISH STATUTORY INSTRUMENTS

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**2002 No. 494**

**LEGAL AID AND ADVICE**

**The Civil Legal Aid (Scotland) Regulations 2002**

*Made* - - - - - *6th November 2002*  
*Laid before the Scottish*  
*Parliament* - - - - - *7th November 2002*  
*Coming into force* - - - - - *1st December 2002*

**THE CIVIL LEGAL AID (SCOTLAND) REGULATIONS 2002**

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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Civil Legal Aid (Scotland) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- Signature

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SCHEDULE 1	REGULATIONS REVOKED
SCHEDULE 2	RULES FOR COMPUTING DISPOSABLE INCOME

1. The income of the person concerned from any source shall...
2. The income in respect of any emolument, benefit or privilege...
3. (1) The income from a trade, business or gainful occupation...
4. (1) In computing the disposable income of the person concerned...
5. In computing the disposable income of the person concerned, there...
6. There shall be disregarded £4 a week of the income...
7. There shall be disregarded— (a) attendance allowance paid under section...
8. When the income of the person concerned consists, wholly or...
9. There shall be a deduction in respect of contributions payable...
10. There shall be a deduction in respect of the amounts...
11. (1) There shall be a deduction, in respect of rent...  
Provided that any contributions received from any other person towards...
12. If the person concerned is not a householder, there shall...
13. (1) There shall be a deduction in respect of the...  
Provided that the Board may reduce such rate by taking...
14. If the person concerned is making and, throughout such period...
15. Where the person concerned must provide for any other matter...
16. In computing the income from any source there shall be...

SCHEDULE 3	RULES FOR COMPUTING DISPOSABLE CAPITAL
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1. Subject to the provisions of these Regulations, there shall be...  
Provided that, where it is brought to the notice of...
2. So far as any resource does not consist of money,...
3. Where money is due to the person concerned, whether immediately...
4. If the person concerned stands in relation to a company...
5. Where the person concerned is or is to be treated...
6. The value of any interest, whether vested or contingent, of...
7. In computing the amount of capital of the person concerned...
8. In computing the amount of capital of the person concerned,...
9. Save in exceptional circumstances, nothing shall be included in the...
10. (1) In computing the amount of capital of the person...
11. Where the person concerned has received or is entitled to...
12. The value of any life assurance or endowment policy shall...
13. Where under any statute, bond, agreement, indemnity, guarantee or other...
14. An allowance may be made in respect of any debt...
15. (1) Where the person concerned is of pensionable age and...
16. In computing the amount of capital of the person concerned...
17. In computing the amount of capital there shall be disregarded...

Explanatory Note

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Civil Legal Aid (Scotland) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

### Changes and effects yet to be applied to :

- sch 2 am by [S.S.I. 2007/59 reg 5](#)
- Sch. 2 para. 7(e) substituted by [S.S.I. 2013/142 reg. 7\(4\)\(a\)](#)
- Sch. 2 para. 5(d) words substituted by [S.S.I. 2014/90 Sch. Pt. 3](#)
- Sch. 3 para. 8(a) substituted by [S.S.I. 2013/142 reg. 7\(5\)](#)
- Sch. 3 para. 7 words inserted by [S.S.I. 2013/137 reg. 13\(4\)](#)
- Sch. 3 para. 7 words inserted by [S.I. 2008/1879 reg. 38\(5\)](#)
- Sch. 3 para. 8(c) words substituted by [S.S.I. 2014/90 Sch. Pt. 3](#)
- Regulations applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- reg 2 defn(s) added by [S.S.I. 2005/448 regs 34\(b\)](#)
- reg 2 defn(s) am by [S.S.I. 2005/448 regs 34\(a\)](#)
- reg 2 am by [S.S.I. 2006/325 reg 4](#)
- reg 2 am by [S.S.I. 2009/312 reg 8](#)
- reg 2 am by [S.S.I. 2010/461 reg 3](#)
- reg. 2(1) words inserted by [S.S.I. 2013/142 reg. 7\(2\)](#)
- reg. 2(1) words inserted by [S.S.I. 2020/424 reg. 3\(2\)\(a\)](#)
- reg. 2(1) words inserted by [S.S.I. 2020/424 reg. 3\(2\)\(b\)](#)
- reg. 2(1) words inserted by [S.S.I. 2021/333 reg. 3\(2\)\(a\)](#)
- reg. 2(1) words inserted by [S.S.I. 2021/333 reg. 3\(2\)\(b\)](#)
- reg. 2(1) words inserted by [S.S.I. 2023/11 reg. 3\(2\)\(a\)](#)
- reg. 2(1) words inserted by [S.S.I. 2023/11 reg. 3\(2\)\(b\)](#)
- reg. 2(1) words inserted by [S.S.I. 2023/11 reg. 3\(2\)\(c\)](#)
- reg. 2(1) words inserted by [S.S.I. 2023/178 reg. 6\(2\)\(a\)](#)
- reg. 2(1) words inserted by [S.S.I. 2023/313 reg. 6\(2\)](#)
- reg. 2(1) words inserted by [S.I. 2008/1879 reg. 38\(2\)](#)
- reg. 2(1) words substituted by [S.S.I. 2015/380 reg. 3\(2\)](#)
- reg. 2(1) words substituted by [S.S.I. 2023/178 reg. 6\(2\)\(b\)](#)
- reg 4 am by [S.S.I. 2009/312 reg 8](#)
- reg 4 rev in pt by [S.S.I. 2009/312 reg 8](#)
- reg. 4(1)(b) words substituted by [S.S.I. 2015/380 reg. 3\(3\)\(a\)](#)
- reg. 4(1)(k) words omitted by [S.S.I. 2010/166 reg. 6\(2\)](#)
- reg. 4(2) substituted by [S.S.I. 2015/380 reg. 3\(3\)\(b\)](#)
- reg 5 am by [S.S.I. 2005/448 regs 35](#)
- reg 5 am by [S.S.I. 2006/325 reg 5](#)
- reg. 5(1)(a)(b) substituted by [S.S.I. 2011/161 reg. 7\(3\)\(a\)](#)
- reg. 5(2) words omitted by [S.S.I. 2011/161 reg. 7\(3\)\(b\)](#)
- reg 9 am by [S.S.I. 2004/491 regs 23](#)
- reg 11 am by [S.S.I. 2003/49 regs 34](#)
- reg 14 am by [S.S.I. 2005/448 regs 36](#)
- reg 14 am by [S.S.I. 2006/325 reg 7](#)
- reg 14 am by [S.S.I. 2007/425 regs 35](#)
- reg 14 am by [S.S.I. 2008/50 reg 2](#)
- reg 18 am by [S.S.I. 2005/112 regs 4\(a\)5](#)
- reg 18 am by [S.S.I. 2009/312 reg 8](#)
- reg 18 mod by [S.S.I. 2009/429 art 2 schedule](#)
- reg 18 rev in pt by [S.S.I. 2010/167 reg 6](#)
- reg. 18(1)(b) substituted by [S.S.I. 2011/134 reg. 5\(a\)](#)
- reg. 18(2)(j) omitted by [S.S.I. 2011/134 reg. 5\(b\)](#)

- reg. 18(2)(n) omitted by S.S.I. 2011/134 reg. 5(b)
- reg. 18(2)(p) omitted by S.S.I. 2011/134 reg. 5(b)
- reg. 18(4) words inserted by S.S.I. 2011/134 reg. 5(d)
- reg. 18(5)(b) omitted by S.S.I. 2011/161 reg. 7(5)
- reg. 20(1)(a) omitted by S.S.I. 2011/161 reg. 7(6)
- reg 21 am by S.S.I. 2009/312 reg 8
- reg. 21(1)(c) words inserted by S.S.I. 2016/257 reg. 3(3)
- reg. 21(1)(c) words inserted by S.S.I. 2017/310 reg. 3(3)
- reg. 21(1)(c) words substituted by S.S.I. 2010/166 reg. 6(4)
- reg 23 am by S.S.I. 2003/486 regs 2-4
- reg 26 subst by S.S.I. 2003/486 regs 25
- reg. 26 words inserted by S.S.I. 2011/161 reg. 7(7)
- reg. 26 words omitted by S.S.I. 2011/161 reg. 7(7)
- reg 29 am by S.S.I. 2004/491 regs 24(2)
- reg 31 am by S.S.I. 2004/491 regs 24(3)
- reg 33 am by S.S.I. 2003/49 regs 35
- reg 33 am by S.S.I. 2004/50 regs 23
- reg 33 am by S.S.I. 2005/112 reg 4(b)
- reg 33 am by S.S.I. 2006/61 reg 3
- reg 33 am by S.S.I. 2007/59 reg 4
- reg 33 am by S.S.I. 2008/48 reg 3
- reg 33 am by S.S.I. 2009/49 regs 24
- reg. 33(a)(v) words inserted by S.I. 2008/1879 reg. 38(3)
- reg. 33(a)(x) words substituted by S.S.I. 2014/90 Sch. Pt. 3
- reg. 33(a)(vii) words substituted by S.S.I. 2013/142 reg. 7(3)(a)
- reg. 33(a)(iv) omitted by S.S.I. 2011/134 reg. 6
- reg. 33(a)(xi) words omitted by S.S.I. 2010/166 reg. 6(5)
- reg. 33(b) omitted by S.S.I. 2011/134 reg. 6
- reg. 33(b) sum substituted by S.S.I. 2010/57 reg. 4
- reg 35 am by S.S.I. 2003/49 regs 36
- reg 36 am by S.S.I. 2006/325 reg 5
- reg 43 am by S.S.I. 2009/312 reg 8
- reg. 44(2) words substituted by S.I. 2013/534 Sch. para. 4
- reg 45 am by S.S.I. 2009/312 reg 8
- reg. 45(2)(d)(i) omitted by S.S.I. 2011/161 reg. 7(8)(a)
- reg. 45(3)(c)(i) omitted by S.S.I. 2011/161 reg. 7(8)(a)
- reg. 46(2)(c)(i) omitted by S.S.I. 2011/161 reg. 7(9)(a)
- reg. 46(2)(c)(ii) words omitted by S.S.I. 2011/161 reg. 7(9)(b)
- reg. 47 heading words omitted by S.S.I. 2010/166 reg. 6(6)(a)
- reg. 47 words omitted by S.S.I. 2010/166 reg. 6(6)(b)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Blanket amendment words substituted by S.I. 2011/1043 art. 3-68-10

**Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):**

- Sch. 2 para. 5(f) added by S.I. 2008/1879 reg. 38(4)
- Sch. 2 para. 5(g) inserted by S.S.I. 2013/137 reg. 13(3)
- Sch. 2 para. 7(g) inserted by S.S.I. 2013/142 reg. 7(4)(c)
- Sch. 2 para. 7(f) inserted by S.S.I. 2013/65 reg. 7
- sch. 2 para. 7(h) inserted by S.S.I. 2020/424 reg. 3(4)
- sch. 2 para. 7(i)(j) inserted by S.S.I. 2021/73 reg. 8
- sch. 2 para. 7(k)(l) inserted by S.S.I. 2022/31 reg. 8(3)
- sch. 2 para. 5(h) inserted by S.S.I. 2023/11 reg. 3(4)(a)
- sch. 2 para. 7(m) inserted by S.S.I. 2023/11 reg. 3(4)(b)
- Sch. 2 para. 5(i) inserted by S.S.I. 2023/178 reg. 6(4)(b)

- Sch. 2 para. 5(n) inserted by S.S.I. 2023/178 reg. 6(4)(c)
- Sch. 2 para. 7(o) inserted by S.S.I. 2023/313 reg. 6(4)
- Sch. 2 para. 7(f) words omitted by S.S.I. 2013/142 reg. 7(4)(b)
- Sch. 2 para. 5(h) words substituted by S.S.I. 2023/178 reg. 6(4)(a)
- sch. 3 para. 8(d)-(f) inserted by S.S.I. 2020/424 reg. 3(5)
- Sch. 3 para. 8(g) inserted by S.S.I. 2021/333 reg. 3(4)
- sch. 3 para. 8(h)-(j) inserted by S.S.I. 2023/11 reg. 3(5)
- Sch. 3 para. 8(k) inserted by S.S.I. 2023/313 reg. 6(5)
- Sch. 3 para. 8(j) words inserted by S.S.I. 2023/178 reg. 6(5)(b)
- Sch. 3 para. 8(i) words substituted by S.S.I. 2023/178 reg. 6(5)(a)
- reg. 2A inserted by S.S.I. 2011/161 reg. 7(2)
- reg. 4(1)(m) inserted by S.S.I. 2016/257 reg. 3(2)
- reg. 4(1)(n) inserted by S.S.I. 2017/310 reg. 3(2)
- reg 11A added by S.I. 2010/461 reg 3
- reg 13A added by S.S.I. 2006/325 reg 6
- reg 13A am by S.S.I. 2007/425 regs 34
- reg. 13A(2)(c) words omitted by S.S.I. 2011/161 reg. 7(4)
- reg. 18(2)(w) omitted by S.S.I. 2010/166 reg. 6(3)
- reg. 18(3A)(3B) omitted by S.S.I. 2011/134 reg. 5(c)
- reg. 21(1)(ca) inserted by S.S.I. 2015/380 reg. 3(4)
- reg 23A added by S.S.I. 2004/491 regs 24(1)
- reg 31A added by S.S.I. 2004/491 regs 24(4)
- reg. 33(a)(xiv) inserted by S.S.I. 2013/142 reg. 7(3)(b)
- reg. 33(a)(xix)-(xxii) inserted by S.S.I. 2022/31 reg. 8(2)
- reg. 33(a)(xiii) inserted by S.S.I. 2013/137 reg. 13(2)
- reg. 33(a)(xviii) inserted by S.S.I. 2021/333 reg. 3(3)
- reg. 33(a)(xxiii)(xxiv) inserted by S.S.I. 2023/11 reg. 3(3)(a)
- reg. 33(a)(xv)-(xvii) inserted by S.S.I. 2020/424 reg. 3(3)
- reg. 33(c)(d) substituted for reg. 33(c) by 2002 asp 17 Sch. 3 para. 38
- reg. 33(e) inserted by S.S.I. 2023/11 reg. 3(3)(b)
- reg. 33(e) words inserted by S.S.I. 2023/178 reg. 6(3)
- reg. 33(xxv) inserted by S.S.I. 2023/313 reg. 6(3)
- reg. 40(5A) inserted by S.S.I. 2012/64 reg. 2
- reg. 45(3)(c)(ii)(aa) words omitted by S.S.I. 2011/161 reg. 7(8)(b)
- reg. 46(1)(c) inserted by S.I. 2011/1484 Sch. 7 para. 30(a)
- reg. 46(1)(c) omitted by S.I. 2019/519 Sch. para. 34(a)
- reg. 46(1)(d) inserted by S.S.I. 2012/301 Sch. para. 4(2)(a)
- reg. 46(1)(d)(ii) words omitted by S.S.I. 2020/441 reg. 9(2)
- reg. 46(3)(4) inserted by S.I. 2011/1484 Sch. 7 para. 30(b)
- reg. 46(3) words inserted by S.S.I. 2012/301 Sch. para. 4(2)(b)
- reg. 46(4) omitted by S.I. 2019/519 Sch. para. 34(b)
- reg. 46(5) inserted by S.S.I. 2012/301 Sch. para. 4(2)(c)
- reg 48 added by S.S.I. 2004/491 regs 25
- reg. 48 omitted by S.S.I. 2020/441 reg. 9(3)