

1970 No. 1135 (S.92)

LEGAL AID AND ADVICE, SCOTLAND

The Legal Aid (Scotland) (Assessment of Resources) Amendment Regulations 1970

<i>Made</i>	- - -	<i>29th July 1970</i>
<i>Laid before Parliament</i>		<i>7th August 1970</i>
<i>Coming into Operation</i>		<i>16th November 1970</i>

In exercise of the powers conferred on me by sections 4 and 15 of the Legal Aid (Scotland) Act 1967(a), and of all other powers enabling me in that behalf, and with the concurrence of the Treasury, I hereby make the following regulations :—

1.—(1) These regulations may be cited as the Legal Aid (Scotland) (Assessment of Resources) Amendment Regulations 1970 and shall come into operation on 16th November 1970, and shall apply to the computation of disposable income and disposable capital where an application for a Certificate has been made after that date.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) In these regulations a rule referred to by a number means a rule so numbered in the Schedules to the Legal Aid (Scotland) (Assessment of Resources) Regulations 1960(c) as amended (d).

2. The following rule shall be inserted after rule 4 of Schedule 1 :—

“4A. Without prejudice to the provisions of rule 5 of this Schedule, there shall be disregarded £104 of the income of the person concerned.”

3. There shall be substituted for rule 12 of Schedule 1 the following rule :—

“12. Where the person concerned must or reasonably may provide for any other matter and the amount concerned is greater than the amount to be disregarded under rule 4A of this Schedule, there shall be an allowance of such further amount as is just and equitable.”

4. In rule 9(2) of Schedule 2 (which relates to computing the value of a dwelling) there shall be substituted for the expression “£3000” the expression “£5000”.

(a) 1967 c. 43.

(b) 1889 c. 63.

(c) S.I. 1960/1395 (1960 II, p. 1807).

(d) There are no amendments relevant to the subject matter of these regulations.

Gordon Campbell,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
16th July 1970.

We concur.

Bernard Weatherill,
David Howell
Two of the Lord's Commissioners
of Her Majesty's Treasury.

29th July 1970.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for £104 of the income of a person concerned to be disregarded, for such allowance as is just and equitable where the person concerned must or reasonably may provide for matters not the subject of specific allowances to an amount greater than £104, and increases the amount to be deducted from the value of a dwelling to £5000.

SI 1970/1135
ISBN 0-11-001135-X



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