

1980 No. 1791 (S.158)

LEGAL AID AND ADVICE, SCOTLAND

The Legal Aid (Scotland) (General) Amendment
Regulations 1980

Made - - - - 20th November 1980

Laid before Parliament 27th November 1980

Coming into Operation 1st December 1980

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

1. These regulations may be cited as the Legal Aid (Scotland) (General) Amendment Regulations 1980 and shall come into operation on 1st December 1980.

2. The Legal Aid (Scotland) (General) Regulations 1960(b) shall be amended as follows:—

(1) In paragraph (1) of regulation 2 (Interpretation) the definition of “the Commission”(c) shall be deleted, and after the definition of “the Act” shall be inserted the following definition,

“the assessment officer” means a person authorised by the Secretary of State to determine the disposable income, disposable capital and maximum contribution of an applicant for legal aid in accordance with the Legal Aid (Scotland) (Assessment of Resources) Regulations 1980(d).

(2) For the words “the Commission” wherever occurring there shall be substituted the words “the assessment officer”.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
20th November 1980.

(a) 1967 c. 43.

(b) S.I. 1960/2195, to which there are amendments not relevant to these regulations.

(c) The original reference in S.I. 1960/2195 was to “the Board” meaning the National Assistance Board; this reference was substituted by a reference to “the Commission” meaning the Supplementary Benefits Commission by virtue of section 2(3) of the Ministry of Social Security Act 1966 (c. 20) as saved by section 35(1) and paragraph 5 of Schedule 6 to the Supplementary Benefits Act 1976 (c. 71). The Commission is abolished by section 6(2) of the Social Security Act 1980 (c. 30).

(d) S.I. 1980/1793.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Legal Aid (Scotland) (General) Regulations 1960 to take account of the fact that the assessment of resources of an applicant for legal aid is to be carried out by an officer authorised by the Secretary of State, following upon the abolition of the Supplementary Benefits Commission under the Social Security Act 1980.

SI 1980/1791
ISBN 0-11-007791-1



780110 077918