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 STATUTORY INSTRUMENTS
 

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**1985 No. 1859 (S.140)**

**LEGAL AID AND ADVICE, SCOTLAND**

**The Legal Aid (Scotland)  
(Financial Conditions) Regulations 1985**

*Approved by both Houses of Parliament*

*Made - - - 25th October 1985*

*Laid before Parliament 6th November 1985*

*Coming into Operation 25th November 1985*

The Secretary of State, in exercise of the powers conferred on him by sections 2,3 and 15 of the Legal Aid (Scotland) Act 1967(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Legal Aid (Scotland) (Financial Conditions) Regulations 1985 and shall come into operation on 25th November 1985.

(2) In these regulations, “the Act” means the Legal Aid (Scotland) Act 1967.

2. For the purposes of section 2(1) of the Act, there is hereby prescribed the yearly figure of disposable income of £5,415 in place of the yearly figure of £5,155 prescribed by the Legal Aid (Scotland) (Financial Conditions) Regulations 1984(b).

3. For the yearly sum of £2,145 specified in section 3(1)(a) of the Act there shall be substituted the yearly sum of £2,255.

4. The Legal Aid (Scotland) (Financial Conditions) Regulations 1984 are hereby revoked.

*John J. Mackay,*  
Parliamentary Under Secretary of State,  
Scottish Office.

New St Andrew’s House,  
Edinburgh.  
25th October 1985.

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(a) 1967 c.43; section 2(1) was amended by the Legal Aid Act 1979 (c.26), section 13(1) and Schedule 1, paragraph 1; section 3(1) was amended by section 9 of the said Act of 1979, by S.I. 1983/1835 and by S.I. 1984/1865; section 3(1A) was inserted by, and section 15 amended by, section 26 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c.55).

(b) S.I. 1984/1865.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations increase certain of the financial limits of eligibility for legal aid under the Legal Aid (Scotland) Act 1967.

The income limits are increased to make legal aid available to persons with disposable incomes of not more than £5,415 a year (instead of £5,155) and available without payment of a contribution to those with disposable incomes of less than £2,255 a year (instead of £2,145).

The lower limit of disposable capital below which no contribution in respect of capital may be required remains at £3,000 and the upper limit of disposable capital above which legal aid may be refused if it appears that the applicant could afford to proceed without it remains at £4,710.

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