

1989 No. 505 (S.60)

LEGAL AID AND ADVICE, SCOTLAND

**The Civil Legal Aid (Scotland) Amendment Regulations
1989**

<i>Made</i>	- - - -	<i>15th March 1989</i>
<i>Laid before Parliament</i>		<i>20th March 1989</i>
<i>Coming into force</i>		<i>10th April 1989</i>

The Secretary of State, in exercise of the powers conferred on him by sections 17(5), 37(1) and 42 of the Legal Aid (Scotland) Act 1986(a) and of all other powers enabling him in that behalf, and with the concurrence of the Treasury, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Civil Legal Aid (Scotland) Amendment Regulations 1989 and shall come into force on 10th April 1989.

(2) In these Regulations, “the principal Regulations” means the Civil Legal Aid (Scotland) Regulations 1987(b).

2. In regulation 28(2) of the principal Regulations—

- (a) in sub-paragraph (a) the figures of £500 and £250 shall be substituted by the figures £750 and £300, respectively;
- (b) in sub-paragraph (b) the figure of £120 shall be substituted by the figure £750.

3. In Schedule 2 to the principal Regulations—

(a) after rule 8 there shall be inserted the following:—

“8A. There shall be a deduction in respect of amounts payable or estimated to be payable in the 12 months following the application by the person concerned in respect of community charge and community water charges as defined in section 26(1), and the rate as defined in section 26(2), of the Abolition of Domestic Rates Etc. (Scotland) Act 1987(c),” and

(b) in each of rules 9(2)(b) and (4) after the word “rates” there shall be inserted the following:—

“leviable before 1 April 1989 in Scotland and 1 April 1990 in England and Wales”.

(a) 1986 c.47.

(b) S.I. 1987/381, amended by S.I. 1987/431, 1988/490, 1171 and 1891.

(c) 1987 c.47.

St. Andrew's House, Edinburgh
14th March 1989

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

We concur,

15th March 1989

Alan Howarth
David Maclean
Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Legal Aid (Scotland) Regulations 1987 by—

- (a) increasing the amounts by which an assisted person's resources may change before they are required to have them re-assessed (regulation 2) and
- (b) providing that account is taken of payments under the provisions of the Abolition of Domestic Rates Etc. (Scotland) Act 1987 in respect of rates and community charges in computing disposable income of legal aid applicants (regulation 3).

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