
STATUTORY INSTRUMENTS

1996 No. 1012 (S.113)

LEGAL AID AND ADVICE, SCOTLAND

**The Civil Legal Aid (Financial
Conditions) (Scotland) Regulations 1996**

Made - - - - 28th March 1996
Coming into force - - 8th April 1996

The Secretary of State, in exercise of the powers conferred on him by section 36(1) and (2)(b) of the Legal Aid (Scotland) Act 1986⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations, a draft of which has, in accordance with section 37(2) of that Act, been laid before, and approved by a resolution of, each House of Parliament:

1.—(1) These Regulations may be cited as the Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1996 and shall come into force on 8th April 1996.

(2) In these Regulations, “the Act” means the Legal Aid (Scotland) Act 1986.

2. These Regulations shall apply only in relation to any case where an application for civil legal aid is made to the Scottish Legal Aid Board on or after 8th April 1996.

3. For the yearly amount of £7,920 specified in section 15(1) of the Act⁽²⁾, there shall be substituted the yearly amount of £8,158.

4. For the sum of £6,750 specified in section 15(2)(a) of the Act⁽³⁾, there shall be substituted the sum of £8,560.

5. For the yearly amount of £2,425 specified in section 17(2)(a) of the Act⁽⁴⁾, there shall be substituted the yearly amount of £2,498.

6. The Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1991⁽⁵⁾, the Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1992⁽⁶⁾ and the Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1995⁽⁷⁾ are hereby revoked except in relation to any case where an application for civil legal aid is made to the Scottish Legal Board before 8th April 1996.

(1) 1986 c. 47; section 36(2)(b) was amended by the Legal Aid Act 1988 (c. 34), Schedule 4, paragraph 6.

(2) The existing figure specified in section 15(1) was inserted by S.I. 1995/1221.

(3) The existing figure specified in section 15(2)(a) was inserted by S.I. 1992/1586.

(4) The existing figure specified in section 17(2)(a) was inserted by S.I. 1995/1221.

(5) S.I. 1991/1094.

(6) S.I. 1992/1586.

(7) S.I. 1995/1221.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House,
Edinburgh
28th March 1996

James Douglas-Hamilton
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase certain of the financial limits of eligibility for civil legal aid under the Legal Aid (Scotland) Act 1986.

The income limits are increased to make eligible for civil legal aid persons with a disposable income of not more than £8,158 (instead of £7,920) and to make eligible without payment of a contribution persons with a disposable income of not more than £2,498 (instead of £2,425).

The upper limit of disposable capital, above which legal aid may be refused if it appears that the applicant can afford to proceed without it, is increased from £6,750 to £8,560.

The Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1991 the Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1992 and the Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1995 are revoked.