
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

The Advice and Assistance (Financial Conditions) (Scotland) Regulations 2008

Liability to pay fees or outlays under section 11(2) of the Act

7.—(1) Where a solicitor has approved and proceeded to provide advice and assistance by way of a diagnostic interview and the work undertaken is made up solely of a diagnostic interview, the maximum amount of fees or outlays which a client is liable to pay under section 11(2) of the Act, where that client's disposable income falls within a range specified in the first column of the following table, is the amount specified in relation to that range in the second column—

<i>Disposable income range</i>	<i>Maximum contribution</i>
1. Exceeding £95 but not exceeding £123 a week	£7
2. Exceeding £123 but not exceeding £151 a week	£14
3. Exceeding £151 but not exceeding £179 a week	£21
4. Exceeding £179 but not exceeding £200 a week	£28
5. Exceeding £200 but not exceeding £223 a week	£35

(2) Paragraph (1) shall not apply where a solicitor has approved and proceeded to provide advice and assistance by way of a diagnostic interview for a matter which, upon application to the Board under regulation 8B(3) of the Advice and Assistance (Scotland) Regulations 1996⁽¹⁾, is determined by it to be treated as if it did relate to one or more distinct matters.

(3) In this regulation “diagnostic interview” has the meaning given in regulation 2(1), and “distinct matter” shall be construed in accordance with regulation 8A(2), of those Regulations.

⁽¹⁾ S.I.1996/2447 as relevantly amended by S.S.I. 2007/60.