

SCOTTISH STATUTORY INSTRUMENTS

2013 No. 142

The Welfare Reform (Consequential Amendments) (Scotland) (No. 3) Regulations 2013

PROSPECTIVE

Civil Legal Aid (Scotland) Regulations 2002

- 7.—(1) The Civil Legal Aid (Scotland) Regulations 2002(1) are amended as follows.
- (2) In regulation 2(1) (interpretation), after the definition of “solicitor-advocate” insert—
- ““Welfare Fund payment” means any payment made by a local authority in exercise of the power in section 20 of the Local Government in Scotland Act 2003 and using funds provided by the Scottish Ministers from the Scottish Welfare Fund, where the payment is—
- (a) a crisis payment made for the purpose of meeting an immediate short term need; or
 - (b) made for the purpose of meeting a need for community care;”.
- (3) In regulation 33(a) (payments out of property recovered or preserved: exceptions)—
- (a) in sub-paragraph (vii), for the words from “payment” to the end substitute “Welfare Fund payment”; and
 - (b) after sub-paragraph (xiii), insert—
- “(xiv) by way of personal independence payment under section 79 of the Welfare Reform Act 2012 or by way of armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;”.
- (4) In paragraph 7 of Schedule 2 (rules for computing disposable income)—
- (a) for sub-paragraph (e), substitute—
- “(e) any Welfare Fund payment;”;
- (b) in sub-paragraph (f), omit “the mobility component of”; and
 - (c) after that sub-paragraph, insert—
- “(g) armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011.”.
- (5) In paragraph 8 of Schedule 3 (rules for computing disposable capital), for sub-paragraph (a) substitute—
- “(a) any Welfare Fund payment;”.

Commencement Information

- II** Reg. 7 in force at 11.6.2013, see [reg. 1](#)

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Welfare Reform (Consequential Amendments) (Scotland) (No. 3) Regulations 2013*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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Changes and effects yet to be applied to :

- [reg. 7 coming into force by S.S.I. 2013/142 reg. 1](#)