
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 333

The Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) (No. 2) Regulations 2021

Amendment of the Civil Legal Aid (Scotland) Regulations 2002

- 3.—(1) The Civil Legal Aid (Scotland) Regulations 2002(1) are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) after the definition of “the 2000 Act”(2), insert—
- ““the 2021 Act” means the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021(3);”,
- (b) after the definition of “person concerned”, insert—
- ““redress scheme” has the meaning given in section 2 of the 2021 Act;
- “relevant payment” means any payment described in section 42(2) (deduction of previous payment from redress payment) read with section 42(3) and (7) as adjusted in accordance with sections 42(5) and 43 of the 2021 Act;”.
- (3) In regulation 33 (payments out of property recovered or preserved: exceptions), after paragraph (a)(xvii), insert—
- “(xviii) by way of any payment made under Part 4 of the 2021 Act (financial redress for historical child abuse), or any relevant payment made or due to be made prior to the date of commencement of the redress scheme;”.
- (4) In schedule 3 (rules for computing disposable capital), after paragraph 8(f), insert—
- “(g) any payment made under Part 4 of the 2021 Act (financial redress for historical child abuse), or any relevant payment made or due to be made prior to the date of commencement of the redress scheme;”.

(1) S.S.I. 2002/494, relevant amending instruments are S.S.I. 2006/325 and S.S.I. 2020/424.

(2) Inserted by S.S.I. 2006/325, regulation 4(a).

(3) 2021 asp 15.