
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 178

The Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) (No. 3) Regulations 2023

Amendment of the Civil Legal Aid (Scotland) Regulations 2002

6.—(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 2022 Act”, insert—

““the 2023 Act” means the Social Security (Additional Payments) Act 2023;”,

(b) for the definition of “additional payment” substitute—

““additional payment” means a payment within the meaning given in section 9(1) (interpretation) of the 2022 Act or that given in section 10(1) (interpretation) of the 2023 Act;”.

(3) In regulation 33 (payments out of property recovered or preserved: exceptions), in subparagraph (e) after “2022”, insert “or the Social Fund Winter Fuel Payment (Temporary Increase) Regulations 2023”.

(4) In schedule 2 (rules for computing disposable income)—

(a) in paragraph 5(h), for “2002 Act” substitute “2022 Act”,

(b) after paragraph 5(h), insert—

“(i) any means-tested additional payment made under section 1 of the 2023 Act, at any time since the coming into force of that Act.”,

(c) after paragraph 7(m), insert—

“(n) any disability additional payment made under section 5 of the 2023 Act, at any time since the coming into force of that Act.”,

(5) In schedule 3 (rules for computing disposable capital)—

(a) in paragraph 8(i), for “the 2022 Act” substitute “either the 2022 Act or the 2023 Act, at any time since the coming into force of those Acts”,

(b) in paragraph 8(j), after “2022”, insert “or the Social Fund Winter Fuel Payment (Temporary Increase) Regulations 2023”.