

1971 No. 275 (S.43)

LEGAL AID AND ADVICE, SCOTLAND

Legal Aid (Scotland) (Assessment of Resources) Amendment
Regulations 1971

<i>Made</i>	- - -	18th February 1971
<i>Laid before Parliament</i>		26th February 1971
<i>Coming into Operation</i>		1st March 1971

In exercise of the powers conferred on me by sections 4 and 15 of the Legal Aid (Scotland) Act 1967(a), and of all other powers enabling me on that behalf, and with the concurrence of the Treasury, I hereby make the following regulations :—

1.—(1) These regulations may be cited as the Legal Aid (Scotland) (Assessment of Resources) Amendment Regulations 1971 and shall come into operation on 1st March 1971.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) In these regulations a regulation referred to by a number means a regulation so numbered in the Legal Aid (Scotland) (Assessment of Resources) Regulations 1960(c) as amended (d).

(4) In these regulations a rule referred to by a number means a rule so numbered in the First Schedule to the Legal Aid (Scotland) (Assessment of Resources) Regulations 1960 as amended.

2. In the proviso to regulation 11 for the words “any increase or” there shall be substituted the words “any increase in the amount of his disposable income by an amount greater than £52 or any”.

3. (a) for “7s. 6d.” and “5s. 6d.” in rule 5(1)(f) and (g) there shall be substituted “£0·38” and “£0·28” respectively ;

(b) for “20s.” in rule 5(2) there shall be substituted “£1·00” ;

(c) for “40s.” in rule 5(1) and (3) there shall be substituted “£2·00”.

(a) 1967 c. 43.

(c) S.I. 1960/1395 (1960 II, p. 1807).

(b) 1889 c. 63.

(d) The relevant amending instruments are S.I. 1960/2194; S.I. 1966/1379 (1960 II, p. 1816; 1966 III, p. 3707).

Gordon Campbell,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.

16th February 1971.

We concur.

Bernard Weatherill,
V. H. Goodhew,
Two of the Lords Commissioners of
Her Majesty's Treasury.

18th February 1971.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Legal Aid (Scotland) (Assessment of Resources) Regulations 1960 so as to provide for the redetermination of an assisted person's disposable income and maximum contribution when his disposable income has increased by an amount greater than £52 (instead of £26). They also provide for the decimalisation of amounts of money in connection with the assessment of resources of applicants for legal aid.

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