

STATUTORY INSTRUMENTS

**1988 No. 685 (S.78)**

**LEGAL AID AND ADVICE, SCOTLAND**

**The Advice and Assistance (Financial Conditions) (Scotland) Regulations 1988**

*Made* - - - - *31 March 1988*  
*Coming into force* - - *11th April 1988*

The Secretary of State, in exercise of the powers conferred on him by sections 11(2), 36(2)(b) and 37(1) of the Legal Aid (Scotland) Act 1986<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Regulations, a draft of which has been laid before, and approved by a resolution of, each House of Parliament:

**1.—(1)** These Regulations may be cited as the Advice and Assistance (Financial Conditions) (Scotland) Regulations 1988 and shall come into force on 11th April 1988.

**(2)** In these Regulations, “the Act” means the Legal Aid (Scotland) Act 1986.

**2.** For the weekly sum of £118 specified in section 8(a) of the Act<sup>(2)</sup>, there is hereby substituted the weekly sum of £122.

**3.** For the capital sum of £825 specified in section 8 of the Act, there is hereby substituted the capital sum of £850.

**4.** For the weekly sum of £56 specified in section 11(2)(a) of the Act, there is hereby substituted the weekly sum of £58.

**5.** The maximum amount of fees or outlays which a client shall be liable to pay under section 11(2) of the Act<sup>(3)</sup>, where his disposable income falls within a range specified in the first column of the following table, shall be the amount specified in relation to that range in the second column:—

Disposable income range	Maximum contribution
<b>1</b> Exceeding £58 but not exceeding £66 a week	£ 5

<sup>(1)</sup> 1986 c. 47

<sup>(2)</sup> The existing figures referred to in regulations 2 to 4 were inserted in sections 8 and 11 of the Act by virtue of S.I. 1987/704

<sup>(3)</sup> The existing maximum amounts are specified in S.I. 1987/704

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Disposable income range	Maximum contribution
<b>2</b> Exceeding £66 but not exceeding £71 a week	£12
<b>3</b> Exceeding £71 but not exceeding £76 a week	£17
<b>4</b> Exceeding £76 but not exceeding £81 a week	£23
<b>5</b> Exceeding £81 but not exceeding £86 a week	£28
<b>6</b> Exceeding £86 but not exceeding £91 a week	£33
<b>7</b> Exceeding £91 but not exceeding £96 a week	£39
<b>8</b> Exceeding £96 but not exceeding £101 a week	£44
<b>9</b> Exceeding £101 but not exceeding £106 a week	£50
<b>10</b> Exceeding £106 but not exceeding £111 a week	£55
<b>11</b> Exceeding £111 but not exceeding £116 a week	£61
<b>12</b> Exceeding £116 but not exceeding £122 a week	£67.

**6.** The Advice and Assistance (Financial Conditions) (Scotland) Regulations 1987(4) are hereby revoked.

New St Andrew's House,  
Edinburgh  
31st March 1988

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations increase the disposable income limit for eligibility for advice and assistance under the Legal Aid (Scotland) Act 1986 from £118 a week to £122 a week, the disposable capital limit from £825 to £850 and the weekly disposable income above which a person is required to pay a contribution from £56 to £58. They also prescribe the scale of contributions to be paid where the weekly disposable income exceeds £58 but does not exceed £122.