
STATUTORY INSTRUMENTS

1993 No. 970 (S.132)

LEGAL AID AND ADVICE, SCOTLAND

The Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 1993

Made - - - - *31st March 1993*
Coming into force - - *12th April 1993*

The Secretary of State, in exercise of the powers conferred on him by sections 17(2)(a), 36(2)(b) and 37(1) of the Legal Aid (Scotland) Act 1986⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations, a draft of which has, in accordance with section 37(2) of that Act, been laid before, and approved by a resolution of, each House of Parliament:

1.—(1) These Regulations may be cited as the Civil Legal Aid (Financial Conditions and Contributions) (Scotland) Regulations 1993 and shall come into force on 12th April 1993.

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

2. These Regulations shall apply only in relation to any case where an application for civil legal aid is made to the Scottish Legal Aid Board on or after 12th April 1993.

3. For the purposes of section 17(2)(a) of the Act (contribution in respect of income payable where disposable income is above a specified yearly amount but not to exceed a specified proportion of the excess):—

- (a) there shall be substituted for the yearly amount of £3,060 specified in that section the yearly amount of £2,293; and
- (b) there is prescribed one third as the proportion of the excess (excess of disposable income which a contribution cannot exceed).

4. Regulation 4 of the Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1992⁽²⁾ is hereby revoked.

(1) 1986 c. 47; section 36(2)(b) was amended by the Legal Aid Act 1988 (c. 34), Schedule 4, paragraph 6.
(2) S.I.1992/1586.

Status: This is the original version (as it was originally made).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

St. Andrew's House,
Edinburgh
31st March 1993

Fraser of Carmyllie
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 17(2)(a) of the Legal Aid (Scotland) Act 1986 which provides that a legally assisted person's contribution may include—

- “(a) if his disposable income exceeds £3,060 a year, a contribution in respect of income which shall not be more than one quarter of the excess (or such other proportion of the excess, or such amount, as may be prescribed by Regulations made under this section)”.

These Regulations substitute for the yearly amount of £3,060 of disposable income at which civil legal aid may be available without payment of a contribution in respect of income the yearly amount of £2,293.

These Regulations also increase the proportion of the excess of disposable income which constitutes the maximum amount of the contribution which may be payable from one quarter to one third of the excess.

These Regulations only apply in relation to any case where an application for civil legal aid is made to the Scottish Legal Aid Board on or after 12th April 1993.