
STATUTORY INSTRUMENTS

2008 No. 1879

**The Employment and Support Allowance
(Consequential Provisions) (No. 3) Regulations 2008**

PART 11

Scotland

Amendment of the Civil Legal Aid (Scotland) Regulations 2002

38.—(1) The Civil Legal Aid (Scotland) Regulations 2002 ^{M1} are amended as follows.

(2) In regulation 2(1) (interpretation) after the definition of “income” insert—
““income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act 2007 (employment and support allowance);”.

(3) In regulation 33(a)(v) (payments out of property recovered or preserved: exceptions) after “the 1992 Act” insert “, an income-related employment and support allowance”.

(4) In Schedule 2 (rules for computing disposable income) in paragraph 5 after sub-paragraph (e) add—

“(f) an income-related employment and support allowance.”.

(5) In Schedule 3 (rules for computing disposable capital) in paragraph 7 after “(payable under the Jobseekers Act 1995)” insert “or an income-related employment and support allowance”.

Marginal Citations

M1 [S.S.I. 2002/494](#). Regulation 33 was amended by [S.S.I. 2007/59](#).

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Support Allowance (Consequential Provisions) (No. 3) Regulations 2008, Section 38.