STATUTORY INSTRUMENTS

1990 No. 839 (S.109)

LEGAL AID AND ADVICE, SCOTLAND

The Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1990

Made - - - -	*30th March 1990*
Coming into force	*9th April 1990*

The Secretary of State, in exercise of the powers conferred on him by section 36(2)(b) of the Legal Aid (Scotland) Act 1986(a), 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 Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1990 and shall come into force on 9th April 1990.

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

2. For the yearly sum of £6,035 specified in section 15(1) of the Act(b), there is hereby substituted the yearly sum of £6,350.

3. For the sum of £6,000 specified in section 15(2)(a) of the Act, there is hereby substituted the sum of £6,310.

4. For the yearly sum of £2,515 specified in section 17(2)(a) of the Act, there is hereby substituted the yearly sum of £2,645.

5. The Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1989(c) are hereby revoked.

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

St. Andrew's House, Edinburgh
30th March 1990

(a) 1986 c.47; section 36(2)(b) was amended by the Legal Aid Act 1988 (c.34), Schedule 4, paragraph 6.
(b) The existing figures referred to in regulations 2 to 4 were inserted in sections 15 and 17 of the Act by virtue of S.I. 1989/720.
(c) S.I. 1989/720.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase certain of the financial limits of eligibility for civil legal aid under the Legal Aid (Scotland) Act 1986.

The income limits are increased to make legal aid available to persons with disposable incomes of not more than £6,350 a year (instead of £6,035) and available without payment of a contribution to those with disposable incomes of less than £2,645 a year (instead of £2,515).

The lower limit of disposable capital below which no contribution in respect of capital may be required remains at £3,000, while the upper limit of disposable capital, above which legal aid may be refused if it appears that applicants could afford to proceed without it, is increased from £6,000 to £6,310.

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