STATUTORY INSTRUMENTS

1973 No. 1561 (S.117)

LEGAL AID AND ADVICE, SCOTLAND

The Legal Aid (Scotland) (Assessment of Resources) Amendment Regulations 1973

Made - - -	10*th September* 1973
Laid before Parliament	12*th September* 1973
Coming into Operation	1*st October* 1973

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 in 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 1973, shall come into operation on 1st October 1973 and shall apply to the computation of disposable income where an application for a certificate is made on or after that date.

(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.

2. For sub-paragraphs (3)(*a*) and (*b*) of paragraph 10 of Schedule 1 to the Legal Aid (Scotland) (Assessment of Resources) Regulations 1960(**c**) as amended(**d**) there shall be substituted—

"(*a*) in the case of a spouse at a rate equivalent to the amount by which the amount at rate (*a*) in sub-paragraph (*a*) of paragraph 9 of Schedule 2 to the Ministry of Social Security Act 1966(**e**) (as substituted by section 6 of, and Schedule 4 to, the National Insurance and Supplementary Benefit Act 1973(**f**)) for a husband and wife exceeds the amount of rate (*a*) in sub-paragraph (*b*) of that paragraph for a person living alone;

(*b*) in the case of a dependent child or a dependent relative, at the amount in sub-paragraph (*c*) of paragraph 9 of the said Schedule 2 appropriate

(**a**) 1967 c. 43.
(**b**) 1889 c. 63.
(**c**) S.I. 1960/1395 (1960 II, p. 1807).
(**d**) The relevant amending instrument is S.I. 1966/1379 (1966 III, p. 3707).
(**e**) 1966 c. 20.
(**f**) 1973 c. 42.

to a dependant of the age of that child or other dependant, rate (*a*) being taken in the case of any person aged not less than 18 years."

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

St. Andrew's House,
Edinburgh.

4th September 1973.

We concur.

Hugh Rossi,
Oscar Murton,
Two of the Lords Commissioners of Her Majesty's Treasury.

10th September 1973.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Legal Aid (Scotland) (Assessment of Resources) Regulations 1960 by substituting the relevant increased allowances in the case of a spouse, dependent child or dependent relative contained in paragraph 9 of Schedule 2 to the Ministry of Social Security Act 1966, as substituted by section 6 of, and Schedule 4 to, the National Insurance and Supplementary Benefit Act 1973.

SI 1973/1561
ISBN 0-11-031561-8

