STATUTORY INSTRUMENTS

1983 No. 1835 (S. 176)

LEGAL AID AND ADVICE, SCOTLAND

The Legal Aid (Scotland) (Financial Conditions) (No. 2) Regulations 1983

Approved by both Houses of Parliament

Made - - - -	10*th November* 1983
Laid before Parliament	14*th November* 1983
Coming into Operation	29*th November* 1983

In exercise of the powers conferred on me by sections 2, 3 and 15 of the Legal Aid (Scotland) Act 1967(**a**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1.—(1) These regulations may be cited as the Legal Aid (Scotland) (Financial Conditions) (No. 2) Regulations 1983 and shall come into operation on the day after the day on which they are approved by resolution of each House of Parliament.

(2) In these regulations, "the Act" means the Legal Aid (Scotland) Act 1967.

2. For the purposes of section 2(1) of the Act, there is hereby prescribed the yearly figure of disposable income of £4,925 in place of the yearly figure of £4,720 prescribed by the Legal Aid (Scotland) (Financial Conditions) Regulations 1983(**b**).

3. For the purposes of section 2(1) of the Act, there is hereby prescribed the figure of disposable capital of £4,500 in place of the figure of £4,000 prescribed by the Legal Aid (Scotland) (Financial Conditions) Regulations 1983.

4. For the yearly sum of £1,965 specified in section 3(1)(*a*) of the Act there shall be substituted the yearly sum of £2,050.

5. For the capital sum of £2,500 specified in section 3(1)(*b*) of the Act there shall be substituted the capital sum of £3,000.

(**a**) 1967 c. 43; section 2(1) was amended by the Legal Aid Act 1979 (c. 26), section 13(1) and Schedule 1, paragraph 1; section 3(1) was amended by section 9 of the said Act of 1979 and by S.I. 1983/532; section 3(1A) was inserted by, and section 15 amended by, section 26 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55).
(**b**) S.I. 1983/532.

6. The Legal Aid (Scotland) (Financial Conditions) Regulations 1983 are hereby revoked.

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
10th November 1983.

EXPLANATORY NOTE

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

These Regulations increase the financial limits of eligibility for legal aid under the Legal Aid (Scotland) Act 1967.

The income limits are increased to make legal aid available to persons with disposable incomes of not more than £4,925 a year (instead of £4,720) and available without payment of a contribution to those with disposable incomes of less than £2,050 a year (instead of £1,965).

The capital limits are increased to make the upper limit of disposable capital, above which legal aid may be refused if it appears that the applicant could afford to proceed without legal aid, £4,500 (instead of £4,000) and the lower limit of disposable capital below which no contribution in respect of capital may be required £3,000 (instead of £2,500).

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