STATUTORY INSTRUMENTS

1979 No. 409 (S. 42)

LEGAL AID AND ADVICE, SCOTLAND

The Legal Aid (Scotland) (Financial Conditions) Regulations 1979

Made - - - -	*15th February* 1979
Laid before Parliament	*21st February* 1979
Coming into Operation	*6th April* 1979

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) Regulations 1979 and shall come into operation on 6th April 1979.

(2) In these regulations, "the Act" means the Legal Aid (Scotland) Act 1967 and "the 1978 Regulations" mean the Legal Aid (Scotland) (Financial Conditions) Regulations 1978(**b**).

2. For the purposes of section 2(1) of the Act, there shall be prescribed the yearly figure of disposable income of £3,600 in place of the yearly figure of £2,600 prescribed by the 1978 Regulations.

3. For the purposes of section 3(1)(*a*) of the Act, there shall be prescribed the yearly figure of disposable income of £1,500 in place of the yearly figure of £815 prescribed by the 1978 Regulations.

4. For the purposes of section 2(1) of the Act, there shall be prescribed the figure of disposable capital of £2,500 in place of the figure of £1,700 prescribed by the 1978 Regulations.

5. For the purposes of section 3(1)(*b*) of the Act, there shall be prescribed the figure of disposable capital of £1,200 in place of the figure of £365 prescribed by the 1978 Regulations.

Bruce Millan.

One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
15th February 1979.

(a) 1967 c. 43.

(b) S.I. 1978/1817.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations increase the financial limits of eligibility for legal aid laid down in the Legal Aid (Scotland) Act 1967. In future legal aid will be available to those with disposable incomes of not more than £3,600 a year (instead of £2,600), and available without payment of a contribution from those with disposable incomes of £1,500 or less a year (instead of £815). The Regulations also raise to £1,200 (instead of £365) the amount of disposable capital below which no contribution towards legal aid can be required, and raise the limit of the disposable capital above which if it appears that he could afford to proceed without such aid a person may be refused legal aid to £2,500 (instead of £1,700).

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