STATUTORY INSTRUMENTS

# 1984 No. 1865 (S.146)

# LEGAL AID AND ADVICE, SCOTLAND

## The Legal Aid (Scotland) (Financial Conditions) Regulations 1984

*Approved by both Houses of Paliament*

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| *Made* - - - - - | *24th October* 1984 |
| *Laid before Parliament* | *31st October* 1984 |
| *Coming into Operation* | *26th November* 1984 |

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) The regulations may be cited as the Legal Aid (Scotland) (Financial Conditions) Regulations 1984 and shall come into operation on 26th November 1984.

(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 £5,155 in place of the yearly figure of £4,925 prescribed by the Legal Aid (Scotland) (Financial Conditions) (No. 2) Regulations 1983**(b)**.

**3.** For the purposes of section 2(1) of the Act, there is hereby prescribed the figure of disposable capital of £4,710 in place of the figure of £4,500 prescribed by the Legal Aid (Scotland) (Financial Conditions) (No. 2) Regulations 1983.

**4.** For the yearly sum of £2,050 specified in section 3(1)(*a*) of the Act there shall be substituted the yearly sum of £2,145.

**(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. 1983/1835; 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. 1983/1835.

**5.** The Legal Aid (Scotland) (Financial Conditions) (No. 2) Regulations 1983 are hereby revoked.

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

New St Andrew's House,
Edinburgh.
24th October 1984.

## EXPLANATORY NOTE

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

These regulations increase certain of 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 £5,155 a year (instead of £4,925) and available without payment of a contribution to those with disposable incomes of less than £2,145 a year (instead of £2,050).

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 is increased to £4,710 (instead of £4,500). The lower limit of disposable capital below which no contribution in respect of capital may be required remains at £3,000.

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