
STATUTORY INSTRUMENTS

1993 No. 819 (S.106)

LEGAL AID AND ADVICE, SCOTLAND

**The Advice and Assistance (Scotland)
Amendment (No.2) Regulations 1993**

<i>Made</i>	- - - -	<i>23rd March 1993</i>
<i>Laid before Parliament</i>		<i>23rd March 1993</i>
<i>Coming into force</i>	- -	<i>12th April 1993</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 37(1) and 42 of the Legal Aid (Scotland) Act 1986(1), and of all other powers enabling him in that behalf, and with the concurrence of the Treasury, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Advice and Assistance (Scotland) Amendment (No.2) Regulations 1993 and shall come into force on 12th April 1993.

(2) In these Regulations, “the principal Regulations” means the Advice and Assistance (Scotland) Regulations 1987(2).

2. For heads (i) and (ii) of paragraph 8(b) of Schedule 2 to the principal Regulations, there shall be substituted the following heads:—

“(i) in the case of a spouse, at a rate equivalent to the difference, as at the date when the application for advice and assistance is made, between the income support allowance for a couple where both members are aged not less than 18 (which is specified in column 2 of paragraph 1(3)(c) of Schedule 2 Part I of the Income Support (General) Regulations 1987(3)), and the allowance for a single person aged not less than 25 (which is specified in column 2 of paragraph 1(1)(e) of Schedule 2 Part I of the Income Support (General) Regulations 1987);

(ii) in the case of a dependent child or a dependent relative, at a rate equivalent to the amount specified in paragraph 2 of Part I of Schedule 2 to the Income Support (General) Regulations 1987 appropriate to the age of the child or relative as at the date when the application for advice and assistance is made.”.

3. The amendments made by these Regulations shall apply only to any application for advice and assistance made on or after 12th April 1993.

(1) 1986 c. 47.

(2) S.I.1987/382, of which the relevant amending regulations are S.I. 1988/489.

(3) S.I. 1987/1967 as amended by S.I. 1991/2910.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St. Andrew's House,
Edinburgh
18th March 1993

Fraser of Carmyllie
Minister of State, Scottish Office

We concur

23rd March 1993

Gregory Knight
T.J.R. Wood
Two of the Lord's Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 2 to the Advice and Assistance (Scotland) Regulations 1987 which sets out the rules for computing the disposable income of a person for the purposes of advice and assistance under those Regulations.

The Regulations reduce the deduction to be made where the person concerned has a spouse to the difference between the income support allowance for a couple where both members are aged not less than 18 and the income support allowance for a single person aged not less than 25.

The Regulations also reduce the deduction to be made where the person concerned has a dependent child or relative to the income support allowance appropriate to the age of the child or relative.

The amendments made by the Regulations only apply to any application for advice and assistance on or after 12th April 1993.