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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations—

- (a) increase the disposable income limit for eligibility for advice and assistance under the Legal Aid (Scotland) Act 1986 from £215 per week to £223 per week (regulation 3);
- (b) increase the disposable capital limit for advice and assistance from £1,502 to £1,561 (regulation 4);
- (c) increase the weekly disposable income above which a person is required to pay a contribution from £91 to £95 (regulation 5);
- (d) prescribe the scale of contributions to be paid where the weekly disposable income exceeds £95 but does not exceed £223 (regulation 6).

These changes apply in relation to any case where an application for advice and assistance is made on or after 7th April 2008 (regulation 2).

In relation to applications for advice and assistance in civil matters only, where the work undertaken by the solicitor is made up solely of a diagnostic interview, the Regulations prescribe a separate scale of contributions to be paid where a person's weekly disposable income exceeds £95 but does not exceed £223. The separate scale of contributions is, however, disapplied where the Scottish Legal Aid Board determines that the subject matter of the advice and assistance should be treated as if it were distinct (regulation 7).

The Regulations also revoke the Advice and Assistance (Financial Conditions) (Scotland) Regulations 2007 except in relation to any case where an application for advice and assistance is made before 7th April 2008 (regulation 8).