
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 339

**The Advice and Assistance (Scotland)
Amendment (No. 3) Regulations 2005**

Amendment of the Advice and Assistance (Scotland) Regulations 1996

3.—(1) The Advice and Assistance (Scotland) Regulations 1996⁽¹⁾ are amended in accordance with the following paragraph.

(2) In regulation 7, at the end insert—

“(4) For the purpose of determining a client’s disposable income and disposable capital, and the amount of any contribution required under section 11 of the Act, where an application for advice and assistance is made by a person and where the person is concerned as claiming or having an interest in the property, financial affairs or personal welfare of an adult under the Adults with Incapacity (Scotland) Act 2000⁽²⁾, the personal resources of the person making an application for advice and assistance shall be disregarded and the determination shall be made by reference to the personal resources of the incapable adult.”.

(1) S.I.1996/2447, as relevantly amended by S.S.I. 2003/421.

(2) 2000 asp 4.