
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 200

The Children's Legal Assistance (Scotland) Regulations 2013

PART 3

CHILDREN'S LEGAL AID

Termination of children's legal aid on change of circumstances

- 30.** The Board may cease to make children's legal aid available to an assisted person if—
- (a) in any case it is satisfied, in consequence of an amended determination under regulation 28(1) (power of Board to amend determination), or a redetermination under regulation 28(2), that the assisted person has—
 - (i) a disposable income which makes that person ineligible for children's legal aid; or
 - (ii) disposable capital of an amount which makes that person liable to be refused children's legal aid, and it appears to the Board that the assisted person can afford to proceed without children's legal aid;
 - (b) in any case it no longer considers that—
 - (i) it is reasonable in the particular circumstances of the case that that person should continue to receive children's legal aid; or
 - (ii) that the expenses of the case cannot be met without undue hardship being caused to the child or relevant person, as the case may be;
 - (c) in the case of children's legal aid under section 28D of the Act⁽¹⁾, it is no longer in the best interests of the child in the particular circumstances of the case that children's legal aid be made available to the child; or
 - (d) in the case of children's legal aid under section 28E(5) or section 28F of the Act⁽²⁾, the assisted person no longer has substantial grounds for making or responding to the appeal.

(1) Section 28D was inserted by section 191 of the 2011 Act.

(2) Section 28E and 28F were inserted by section 191 of the 2011 Act.