
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 424

The Legal Aid and Advice and Assistance (Miscellaneous Amendments) (Scotland) Regulations 2020

Amendment of the Civil Legal Aid (Scotland) Regulations 2002

3.—(1) The Civil Legal Aid (Scotland) Regulations 2002(1) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “right of audience” insert—

““Scottish child payment” means any payment under Part 3 of the Scottish Child Payment Regulations 2020;”,

(b) after the definition of “Welfare Fund payment”(2) insert—

““Windrush Compensation Scheme” means the scheme of that name set out in the Windrush Compensation Scheme (Expenditure) Act 2020;

“Windrush connected payment” means a payment where—

- (a) an individual has made a claim under the Windrush Compensation Scheme;
- (b) a request included in that claim has been referred by the Home Office to another person; and
- (c) the payment is made to the individual by that other person as a result of that referral;”.

(3) In regulation 33 (payments out of property recovered or preserved: exceptions), after sub-paragraph (a)(xiv), insert—

“(xv) by way of any payment made under the Windrush Compensation Scheme;

(xvi) by way of any Windrush connected payment;

(xvii) by way of any Scottish child payment;”.

(4) In schedule 2 (rules for computing disposable income), in paragraph 7 after sub-paragraph (g), insert—

“(h) any Scottish child payment.”.

(5) In schedule 3 (rules for computing disposable capital), in paragraph 8 after sub-paragraph (c), insert—

“(d) any payment made under the Windrush Compensation Scheme;

(e) any Windrush connected payment;

(f) any Scottish child payment.”.

(1) S.S.I. 2002/494; relevant amending instruments are S.S.I. 2005/448, S.S.I. 2006/325, S.S.I. 2008/1879, S.S.I. 2009/312, S.S.I. 2010/461, S.S.I. 2013/142 and S.S.I. 2015/380.

(2) Inserted by S.S.I. 2013/142, regulation 7(2).