
STATUTORY INSTRUMENTS

1991 No. 1095 (S.109)

LEGAL AID AND ADVICE, SCOTLAND

The Advice and Assistance (Financial Conditions) (Scotland) Regulations 1991

Made - - - - *26th April 1991*
Coming into force - - *30th April 1991*

The Secretary of State, in exercise of the powers conferred on him by sections 11(2), 36(2)(b) and 37(1) of the Legal Aid (Scotland) Act 1986⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations, a draft of which has been laid before, and approved by a resolution of, each House of Parliament:

1.—(1) These Regulations may be cited as the Advice and Assistance (Financial Conditions) (Scotland) Regulations 1991 and shall come into force on 30th April 1991.

(2) In these Regulations, “the Act” means the Legal Aid (Scotland) Act 1986.

2. For the weekly sum of £64 specified in section 11(2)(a)(2) of the Act, there is hereby substituted the weekly sum of £70.

3. The maximum amount of fees or outlays which a client shall be liable to pay under section 11(2) of the Act⁽³⁾, where his disposable income falls within a range specified in the first column of the following table, shall be the amount specified in relation to that range in the second column:—

Disposable income range	Maximum contribution
1 Exceeding £70 but not exceeding £74 a week	£5
2 Exceeding £74 but not exceeding £78 a week	£12
3 Exceeding £78 but not exceeding £84 a week	£19

(1) 1986 c. 47 ; section 36(2)(b) was amended by the Legal Aid Act 1988 (c. 34), Schedule 4, paragraph 6.
(2) The existing sum is specified in S.I.1990/840.
(3) The existing maximum amounts are specified in S.I. 1990/840.

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Disposable income range	Maximum contribution
4 Exceeding £84 but not exceeding £90 a week	£25
5 Exceeding £90 but not exceeding £96 a week	£32
6 Exceeding £96 but not exceeding £102 a week	£38
7 Exceeding £102 but not exceeding £108 a week	£45
8 Exceeding £108 but not exceeding £114 a week	£51
9 Exceeding £114 but not exceeding £120 a week	£58
10 Exceeding £120 but not exceeding £125 a week	£64
11 Exceeding £125 but not exceeding £130 a week	£70
12 Exceeding £130 but not exceeding £135 a week	£75

4. Regulations 4 and 5 of the SAdvice and assistance (Financial Conditions) (Scotland) Regulations 1990(4) are hereby revoked.

St. Andrew's House,
Edinburgh
26th April 1991

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

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EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations increase the weekly disposable income above which a person is required to pay a contribution in respect of advice and assistance under the Legal Aid (Scotland) Act 1986 from £64 to £70. They also prescribe the scale of contributions to be paid where the weekly disposable income exceeds £70 but does not exceed £135.