
STATUTORY INSTRUMENTS

1991 No. 1096

LEGAL AID AND ADVICE, SCOTLAND

**The Advice and Assistance (Scotland)
(Prospective Cost) 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 9(2)(e), 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, of which a draft has, in accordance with section 37(2) of that Act, been laid before Parliament and approved by a resolution of each House of Parliament:

Citation and commencement

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

Amendment of financial limit

2. In section 10(2) of the Legal Aid (Scotland) Act 1986(2), there is substituted, in place of the sum of £60 therein specified (being the sum applicable to those cases not defined as a class in terms of regulation 2(2) of the Advice and Assistance (Scotland) (Prospective Cost) (No.3.) Regulations 1988(3), the sum of £80.

3. In regulation 2(b)(ii) of the Advice and Assistance (Scotland) (Prospective Cost) (No.3.) Regulations 1988, for the figure “£60” there shall be substituted the figure “£80”.

Revocation

4. Without prejudice to their continuing in effect for the purposes of advice and assistance commenced prior to the coming into force of these Regulations, the Advice and Assistance (Scotland) (Prospective Cost) Regulations 1988(4) are hereby revoked.

(1) 1986 c. 47; section 36(2)(b) was amended by the Legal Aid Act 1988 (c. 34), Schedule 4, paragraph 6.
(2) Section 10(2) was amended by S.I. 1988/1389 and 2288
(3) S.I. 1988/2288.
(4) S.I. 1988/1389.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House,
Edinburgh
26th April 1991

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations increase from £60 to £80 the cost of certain legal advice and assistance (including assistance by way of representation) under the Legal Aid (Scotland) Act 1986 which a solicitor may grant without obtaining the prior approval of the Scottish Legal Aid Board.

This limit applies to all legal advice and assistance other than that defined in the Advice and Assistance (Scotland) (Prospective Cost) (No.3) Regulations 1988.