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STATUTORY INSTRUMENTS

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**1993 No. 818 (S.105)**

**LEGAL AID AND ADVICE, SCOTLAND**

**The Civil Legal Aid (Scotland)  
Amendment (No.2) Regulations 1993**

<i>Made</i>	- - - -	<i>23rd March 1993</i>
<i>Laid before Parliament</i>		<i>23rd March 1993</i>
<i>Coming into force</i>	- -	<i>12th April 1993</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 37(1) and 42 of the Legal Aid (Scotland) Act 1986(1), and of all other powers enabling him in that behalf, and with the concurrence of the Treasury, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Civil Legal Aid (Scotland) Amendment (No.2) Regulations 1993 and shall come into force on 12th April 1993.

(2) In these Regulations, “the principal Regulations” means the Civil Legal Aid (Scotland) Regulations 1987(2).

2. For sub-subparagraphs (a) and (b) of paragraph 11(1) of Schedule 2 to the principal Regulations, there shall be substituted the following sub-subparagraphs:—

“(a) in the case of a spouse, at a rate equivalent to the difference, as at the date when the computation period began, between the income support allowance for a couple where both members are aged not less than 18 (which is specified in column 2 of paragraph 1(3)(c) of Schedule 2 Part I of the Income Support (General) Regulations 1987(3)), and the allowance for a single person aged not less than 25 (which is specified in column 2 of paragraph 1(1)(e) of Schedule 2 Part I of the Income Support (General) Regulations 1987);

(b) in the case of a dependent child or a dependent relative, at a rate equivalent to the amount specified in paragraph 2 of Part I of Schedule 2 to the Income Support (General) Regulations 1987 appropriate to the age of the child or relative at the date when the computation period began.”.

3. The amendments made by these Regulations shall apply only to any application for civil legal aid which is made to the Scottish Legal Aid Board on or after 12th April 1993.

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(1) 1986 c. 47.

(2) S.I.1987/381, to which the relevant amending regulations are S.I. 1988/490 and 1990/631.

(3) S.I. 1987/1967, as amended by S.I. 1991/2910.

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**Status:** This is the original version (as it was originally made).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

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St. Andrew's House,  
Edinburgh  
18th March 1993

*Fraser of Carmyllie*  
Minister of State, Scottish Office

We concur,

23rd March 1993

*Gregory Knight*  
*T.J.R. Wood*  
Two of the Lord's Commissioners of Her  
Majesty's Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend Schedule 2 to the Civil Legal Aid (Scotland) Regulations 1987 which sets out the rules for computing the disposable income of an assisted person for civil legal aid purposes.

The Regulations reduce the deduction to be made where an assisted person has a spouse to the difference, as at the date when the computation period begins, between the income support allowance for a couple where both members are aged not less than 18 and the income support allowance for a single person aged not less than 25.

The Regulations also reduce the deduction to be made where an assisted person has a dependent child or relative to the income support allowance appropriate to the age of the child or relative at the date when the computation period begins.

The amendments made by the Regulations only apply to any application for civil legal aid which is made to the Scottish Legal Aid Board on or after 12th April 1993.