

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 1

Regulation 3

<i>Title</i>	<i>Reference</i>
The Advice and Assistance (Scotland) Regulations 1987	S.I. 1987/382
The Advice and Assistance (Scotland) Amendment Regulations 1987	S.I. 1987/883
The Advice and Assistance (Scotland) Amendment (No.2) Regulations 1987	S.I. 1987/1356
The Advice and Assistance (Scotland) Amendment Regulations 1988	S.I. 1988/489
The Advice and Assistance (Scotland) Amendment (No.2) Regulations 1988	S.I. 1988/1131
The Advice and Assistance (Scotland) Amendment Regulations 1989	S.I. 1989/506
The Advice and Assistance (Scotland) Amendment (No.2) Regulations 1989	S.I. 1989/1492
The Advice and Assistance (Scotland) Amendment Regulations 1990	S.I. 1990/632
The Advice and Assistance (Scotland) Amendment (No.2) Regulations 1990	S.I. 1990/1037
The Advice and Assistance (Scotland) Amendment Regulations 1991	S.I. 1991/567
The Advice and Assistance (Scotland) Amendment Regulations 1992	S.I. 1992/373
The Advice and Assistance (Scotland) Amendment (No.2) Regulations 1992	S.I. 1992/752
The Advice and Assistance (Scotland) Amendment Regulations 1993	S.I. 1993/533
The Advice and Assistance (Scotland) Amendment (No.2) Regulations 1993	S.I. 1993/819
The Advice and Assistance (Scotland) Amendment Regulations 1994	S.I. 1994/1061
The Advice and Assistance (Scotland) Amendment Regulations 1995	S.I. 1995/1066
The Advice and Assistance (Scotland) Amendment Regulations 1996	S.I. 1996/811

## SCHEDULE 2

Regulation 7

## ASSESSMENT OF DISPOSABLE CAPITAL AND DISPOSABLE INCOME

1. In this Schedule, unless the context otherwise requires—

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“capital” means the amount or value of every resource of a capital nature;

“income” means the total income from all sources which the person concerned received or became entitled to during or in respect of the seven days up to and including the date of his application;

“the person concerned” means the person whose disposable capital and disposable income are to be determined.

2. Any question arising under this Schedule shall be decided by the solicitor, and the solicitor, in deciding any such question, shall have regard to any guidance which may from time to time be given by the Board as to the application of this Schedule.

3. The disposable capital and disposable income of the person concerned shall be the capital and income as determined by the solicitor after making such deductions as are to be made under the provisions of this Schedule.

4. If it appears to the solicitor that the person concerned has, with intent to reduce his disposable capital or disposable income or maximum contribution, whether for the purpose of making himself eligible for advice and assistance, reducing his liability to pay a contribution towards advice and assistance or otherwise, directly or indirectly deprived himself of any resource or has converted any part of his resources into resources which are to be left out of account wholly or partly, the resources of which he has so deprived himself or which he has so converted shall be treated as part of his resources or as not so converted, as the case may be.

5. In computing the capital and income of the person concerned—

- (a) there shall be left out of account the value of the subject matter of any claim in respect of which the person concerned is applying for advice and assistance;
- (b) there shall be left out of account so much of any back to work bonus received under section 26 of the Jobseekers Act 1995 as is by virtue of that section to be treated as payable by way of a jobseeker’s allowance; and
- (c) the resources of any spouse of the person concerned shall be treated as that person’s resources unless—
  - (i) the spouse has a contrary interest in the matter in respect of which the person concerned is applying for advice and assistance, or
  - (ii) the person concerned and spouse are living separate and apart, or
  - (iii) in all the circumstances of the case it would be inequitable or impracticable to do so.

6. In computing the capital of the person concerned—

- (a) the value of his household furniture and effects, of articles of personal clothing and of the tools and implements of his trade shall be left out of account;
- (b) there shall be left out of account the value of the main or only dwelling in which he resides;
- (c) where the applicant has an interest in a dwelling other than the main one in which he resides, there shall be taken into account any sum which may be obtained by borrowing money on the security thereof;
- (d) where the person concerned is living with one or more of the following persons, namely, a spouse whose resources are required to be aggregated with his, a dependent child, or a dependent relative wholly or substantially maintained by him, a deduction shall be made of £335 in respect of the first person, £200 in respect of the second person and £100 in respect of each further person.

7. In computing the income of the person concerned—

- (a) there shall be left out of account—

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (i) any income tax paid or payable on income treated under the provisions of this Schedule as his income;
  - (ii) the amount estimated to have been paid by way of contributions under the 1992 Act or any scheme made under those Acts in respect of the seven days up to and including the date of the application for advice or assistance;
- (b) there shall be left out of account any payment made by the Secretary of State under the Earnings Top-up Scheme 1996 <sup>M1</sup>;
- (c) there shall be a deduction in respect of the spouse of the person concerned, if the spouses are living together, in respect of the maintenance of any dependent child and in respect of the maintenance of any dependent relative of the person concerned, being, in either of such cases, a member of his household, at the following rates:—
- (i) in the case of a spouse, at a rate equivalent to the difference, as at the date when the application for advice and assistance is made, 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 Part I of Schedule 2 to the Income Support (General) Regulations 1987 <sup>M2</sup>), and the allowance for a single person aged not less than 25 (which is specified in column 2 of paragraph 1(1)(e) of Part I of Schedule 2 to those Regulations <sup>M3</sup>;
  - (ii) 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 <sup>M4</sup> appropriate to the age of the child or relative as at the date when the application for advice and assistance is made.

#### Marginal Citations

- M1** This Scheme, which applies only in certain areas of Great Britain, is an extra-statutory Scheme introduced by the Secretary of State for Social Security having effect on 8th October 1996. Copies of the Rules of the Scheme may be obtained from the Customer Service's Manager, Earnings Top-up, Norcross, Blackpool, FY5 3TA and will be available for inspection at the Department of Social Security, 9th Floor, Adelphi, 1-11 John Adam Street, London WC2N 6H5 and Offices of the Benefits Agency and Employment Job Centres which serve the area specified in Schedule 1 to the Scheme.
- M2** [S.I. 1987/1967; paragraph 1\(3\)](#) was substituted by [S.I. 1996/206](#).
- M3** The allowance specified was amended by [S.I. 1995/559](#).
- M4** The allowance specified was amended by [S.I. 1995/559](#).

**8.** If the person concerned is making *bona fide* payments for the maintenance of a spouse who is living apart, of a former spouse or of a child or relative who is not (in any such case) a member of the household of the person concerned, there shall be a deduction of such payment as was made during or in respect of the seven days up to and including the date of the application for advice and assistance.

**9.** Where it appears to the solicitor that there has been some error or mistake in the determination of the disposable income, disposable capital or maximum contribution of the person concerned, he may redetermine the disposable income or disposable capital or maximum contribution or, as the case may be, amend the determination, and in the latter case the amended determination shall for all purposes be substituted for the original determination.

**10.—(1)** Where the person concerned is of pensionable age and his weekly disposable income (excluding any net income derived from capital) is less than the current amended figure thereof as prescribed in section 11(2)(a) of the Act there shall be disregarded the amount of capital as specified in the following table:—

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

<i>Weekly disposable income (excluding net income derived from capital)</i>	<i>Amount of capital disregarded</i>
Up to £10	25,000
£11 – £22	20,000
£23 – £34	15,000
£35 – £46	10,000
£47 and above	5,000

- (2) In this Schedule “pensionable age” means—
- (a) in the case of a man, the age of 65; and
  - (b) in the case of a woman, the age of 60.

**11.** In computing the amount of capital of the person concerned there shall be wholly disregarded any capital payment received from any source which is made in relation to the subject matter of the dispute in respect of which the person concerned is applying for advice and assistance.

### SCHEDULE 3

Regulation 17

#### TABLE OF FEES ALLOWABLE TO SOLICITORS

### PART I

#### TABLE OF FEES ALLOWABLE TO SOLICITORS FOR ASSISTANCE BY WAY OF REPRESENTATION

**1.** Subject to paragraph 3 of this Part, the fees allowable to a solicitor for providing assistance by way of representation shall be—

- (a) £70 for attendance at, and all work prior to—
  - (i) any diet at which a plea to the competency or relevancy of the complaint or proceedings, or a plea in bar of trial, is tendered;
  - (ii) any diet at which a question within the meaning of rule 113 of the Act of Adjournal (Consolidation) 1988 <sup>M5</sup> is raised;
  - (iii) any diet at which there is tendered a plea of guilty;
  - (iv) any diet at which the court is considering the accused’s plea of guilty to the charges and where there has been no change of plea; and
  - (v) any diet at which the court is considering the accused’s changed plea of guilty to the charges, and where no application for criminal legal aid has been made;
- (b) fees, as undernoted, for work other than or subsequent to that described in (a) above—
  - (1) The fee for—
    - (i) any time up to the first half hour spent by a solicitor appearing in court or conducting another hearing shall be £27.40;
    - (ii) each quarter hour (or part thereof) subsequent to the first half hour spent in court or conducting another hearing shall be £13.70.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) The fee for–

- (i) each quarter hour (or part thereof) spent by a solicitor in carrying out work other than that prescribed in paragraphs 1 and 3 to 5 hereof, provided that any time is additional to the total time charged for under paragraph 1 above, shall be £10.55;
- (ii) for each quarter hour (or part thereof) spent by a solicitor’s clerk in carrying out work other than that prescribed in paragraphs 3 to 5 hereof shall be £5.25.

(3) The fee for–

- (i) each citation of a witness including execution thereof;
- (ii) framing and drawing precognitions and other necessary papers, subject to paragraph 4(iii) below – per sheet (or part thereof);
- (iii) instructing messengers-at-arms and sheriff officers, including examining execution and settling fee;
- (iv) lengthy telephone calls (of over 4 and up to 10 minutes duration); and
- (v) letters, including instructions to counsel, subject to paragraph 4(ii) below – per page (or part thereof),

shall be £6.00.

(4) The fee for–

- (i) attendance at court offices for performance of formal work including each necessary lodging in or uplifting from court or each necessary enquiry for documents due to be lodged;
- (ii) short letters of a formal nature, intimations and letters confirming telephone calls;
- (iii) framing formal papers, including inventories and title pages – per sheet (or part thereof);
- (iv) revising papers drawn by counsel or where revisal ordered by court – per 5 sheets (or part thereof); and
- (v) short telephone calls (of up to 4 minutes duration),

shall be £2.40.

(5) Where an exceptional amount of copying proves necessary, a fee of 35 pence shall be paid for each sheet.

#### Marginal Citations

M5 S.I. 1988/110.

### Interpretation

2. In paragraph 1 of this Part–

a “sheet” shall consist of 250 words or numbers;

a “page” shall consist of 125 words or numbers; and

“exceptional” means the production of more than 20 output copy sheets (whether 20 of 1 sheet, 5 of 4 sheets or whatever) when a document has been copied.

### Petition by debtor for sequestration

3. The fees allowable to a solicitor for providing assistance by way of representation in relation to a petition by a debtor for the sequestration of his estate under section 5(2)(a) of the Bankruptcy (Scotland) Act 1985<sup>M6</sup> shall be–

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to *The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (a) £27.40 for any time spent by a solicitor appearing in court in connection with the petition; and
- (b) £45 for all other work in connection with the petition.

**Marginal Citations**

**M6** 1985 c.66; section 5(2)(a) was amended by section 3(2) of the [Bankruptcy \(Scotland\) Act 1993 \(c.6\)](#).

**PART II**

**TABLE OF FEES ALLOWED TO SOLICITORS FOR ADVICE AND ASSISTANCE OTHER THAN ASSISTANCE BY WAY OF REPRESENTATION**

1. Subject to paragraph 2 of this Part, the fees allowable to a solicitor shall be calculated as follows:–

A. Time occupied in carrying out work for the client other than work described in paragraphs B to E below–	£10.55
(i) solicitor – per quarter hour (or part thereof)	
(ii) solicitor’s clerk – per quarter hour (or part thereof)	£ 5.25
B. For short letters of a formal nature, short telephone calls (of up to 4 minutes duration), framing formal documents such as inventories and engrossing formal documents for signature – per sheet (or part thereof)	£ 2.40
C. For letters other than in B above – per page (or part thereof), framing non-formal documents other than precognitions – per sheet of 250 words (or part thereof) and lengthy telephone calls (of over 4 and up to 10 minutes duration)	£ 6.00
D. For taking and drawing precognitions – for the first sheet of 250 words or less for each subsequent sheet of 250 words	£21.05
for each subsequent sheet of 250 words	£21.05
for each subsequent sheet of less than 250 words	£10.55
E Where an exceptional amount of copying proves necessary, a fee of 35 pence shall be paid for each sheet.	

2. Where the fees which would be allowable to a solicitor in respect of the matter in respect of which advice and assistance was given, calculated in accordance with paragraph 1 above, would amount to less than £25.00 or where a solicitor elects to claim only the fee provided for in this paragraph, a fee of £25.00 shall be allowable in place of the fees so calculated.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## Interpretation

### 3. In this Table—

a “sheet” shall consist of 250 words or numbers;

a “page” shall consist of 125 words or numbers; and

“exceptional” means the production of more than 20 output copy sheets (whether 20 of 1 sheet, 5 of 4 sheets or whatever) when a document has been copied.

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Advice and Assistance (Scotland) (Consolidation and Amendment) Regulations 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

### Changes and effects yet to be applied to :

- Sch.2 para.1 (defn. of dependent person) added by S.I. 1998/724 reg.5(a)
- Sch 2 para 5 am by S.S.I. 2003/163 regs 36
- Sch 2 para 5 am by S.S.I. 2003/421 regs 37
- Sch.2 para.7 amended by S.S.I. 2000/181 reg.2(3)
- Sch.2 para.7(a)(ii) amended by S.I. 1997/726 reg.5(b)
- Sch.2 para.7(a)(ii) amended by S.I. 1997/726 reg.5(b)
- Sch.2 para.6(d) amended by S.I. 1998/724 reg.5(b)
- Sch.2 para.10 amended by S.I. 1998/724 reg.5(d)
- Sch.2 para.5(b) replaced (by para.5(b)(ba)) by S.I. 1997/726 reg.5(a)
- Sch.2 para.5(b) replaced (by para.5(b)(ba)) by S.I. 1997/726 reg.5(a)
- sch 2 am and rev in pt by S.S.I. 2010/462 regs 35
- Sch.2 para.7 substituted by S.I. 1998/724 reg.5(c)
- Sch. 2 para. 5 word omitted by S.S.I. 2020/424 reg. 2(4)(a)
- Sch. 2 para. 2 words inserted by S.S.I. 2008/240 reg. 3(7)(a)
- sch 3 am by S.S.I. 2006/233 reg 2
- sch 3 am by S.S.I. 2007/60 reg 9
- sch 3 am by S.S.I. 2010/312 reg 3
- Sch.3 Pt.I para.1 amended by S.S.I. 2000/181 reg.2(4)(a)
- Sch.3 amended by S.I. 1997/726 reg. 6
- Sch.3 amended by S.I. 1997/726 reg. 6
- Sch.3 Pt.II para.1 .D revoked by S.S.I. 2000/181 reg.2(4)(b)
- Sch 3 subst by S.S.I. 2005/171 reg 3 Schedule
- Sch. 3 Pt. 1 para. 5 substituted by S.S.I. 2013/250 reg. 2(3)
- sch. 3 Pt. 1 para. 1 substituted by S.S.I. 2019/78 sch. 12
- sch. 3 Pt. 1 para. 3(a) sum substituted by S.S.I. 2019/78 reg. 6(2)(b)
- sch. 3 Pt. 1 para. 3(b) sum substituted by S.S.I. 2019/78 reg. 6(2)(c)
- sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2019/78 reg. 6(5)(a)
- sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2019/78 reg. 6(5)(b)
- sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2019/78 reg. 6(5)(i)
- sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2019/78 reg. 6(5)(j)
- Sch. 3 Pt. 2 Table words deleted by S.S.I. 2017/466 reg. 5(5)(a)
- Sch. 3 Pt. 1 para. 1 words inserted by S.S.I. 2013/144 reg. 2(2)(a)
- Sch. 3 Pt. 1 para. 1 Table words inserted by S.S.I. 2013/144 reg. 2(2)(b)
- Sch. 3 Pt. 1 para. 1 Table words inserted by S.S.I. 2013/144 reg. 2(2)(c)
- Sch. 3 Pt. 2 para. 1 words inserted by S.S.I. 2013/144 reg. 2(3)
- sch. 3 Pt. 1 para. 1 substituted by S.S.I. 2021/56 sch. 12
- sch. 3 Pt. 1 para. 1 substituted by S.S.I. 2022/30 sch. 12
- Sch. 3 Pt. 1 para. 1 Table substituted by S.S.I. 2023/135 Sch. 9
- Sch. 3 Pt. 1 words inserted by S.S.I. 2021/368 reg. 5(3)
- sch. 3 Pt. 1 para. 2 words inserted by S.S.I. 2022/30 reg. 6(2)(b)
- Sch. 3 Pt. 2 para. 2 omitted by S.S.I. 2008/240 reg. 3(9)(c)
- sch. 3 Pt. 2 substituted by S.S.I. 2019/78 sch. 13
- sch. 3 Pt. 2 para. 1 substituted by S.S.I. 2021/56 sch. 13
- sch. 3 Pt. 2 para. 1 substituted by S.S.I. 2022/30 sch. 13
- Sch. 3 Pt. 2 para. 1 Table substituted by S.S.I. 2023/135 Sch. 10
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(a)
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(i)
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(ii)
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(iii)



- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(iv)
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(v)
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(vi)
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(vii)
- Sch. 3 Pt. 2 para. 1 word substituted by S.S.I. 2008/240 reg. 3(9)(b)(viii)
- reg.2 defn(s). added by S.S.I. 2000/399 reg 3(a)
- reg 2 defn(s) added by S.S.I. 2003/421 regs 34
- reg 2 am by S.S.I. 2007/60 reg 4
- reg.2 amended by S.S.I. 2000/399 reg.3(b)
- reg. 2 words inserted by S.I. 2008/1879 reg. 35(2)(a)
- reg. 2 words inserted by S.I. 2008/1879 reg. 35(2)(b)
- reg. 2(1) words inserted by S.S.I. 2013/142 reg. 4(2)
- reg. 2(1) words inserted by S.S.I. 2013/200 reg. 4(2)(a)
- reg. 2(1) words inserted by S.S.I. 2013/200 reg. 4(2)(c)
- reg. 2(1) words inserted by S.S.I. 2020/424 reg. 2(2)(a)
- reg. 2(1) words inserted by S.S.I. 2020/424 reg. 2(2)(b)
- reg. 2(1) words inserted by S.S.I. 2021/333 reg. 2(2)(a)
- reg. 2(1) words inserted by S.S.I. 2021/333 reg. 2(2)(b)
- reg. 2(1) words inserted by S.S.I. 2023/11 reg. 2(2)(a)
- reg. 2(1) words inserted by S.S.I. 2023/11 reg. 2(2)(b)
- reg. 2(1) words inserted by S.S.I. 2023/178 reg. 5(2)(a)
- reg. 2(1) words inserted by S.S.I. 2023/258 reg. 4(2)
- reg. 2(1) words substituted by S.S.I. 2013/200 reg. 4(2)(b)
- reg. 2(1) words substituted by S.S.I. 2021/368 reg. 5(2)(a)
- reg. 2(1) words substituted by S.S.I. 2023/178 reg. 5(2)(b)
- reg.4 amended by S.S.I. 2000/181 reg.2(2)
- reg. 4(a) words inserted by S.S.I. 2013/137 reg. 9(2)
- reg. 4(a) words inserted by S.I. 2008/1879 reg. 35(3)
- reg. 5 heading words inserted by S.S.I. 2023/178 reg. 5(3)(a)
- reg. 5(1) word substituted by S.S.I. 2023/178 reg. 5(3)(b)(ii)
- reg. 5(1) words substituted by S.S.I. 2023/178 reg. 5(3)(b)(i)
- reg. 5(1) words substituted by S.S.I. 2023/178 reg. 5(3)(b)(iii)
- reg. 5(1)(a)-(c) omitted by S.S.I. 2023/178 reg. 5(3)(b)(iv)
- reg. 5(2) word substituted by S.S.I. 2023/178 reg. 5(3)(d)
- reg 6 am by S.S.I. 2003/421 regs 35
- reg 7 am by S.S.I. 2003/163 regs 34
- reg 7 am by S.S.I. 2003/421 regs 36
- reg 7 am by S.S.I. 2005/339 reg 3
- reg 8 subst by S.S.I. 2004/492 regs 23
- regs.911 excl. by S.I. 1998/1938 reg.4(a)
- reg 10 subst by S.S.I. 2004/492 regs 24
- reg 13 am by S.S.I. 2007/60 reg 6
- reg. 13(2) words omitted by S.S.I. 2011/161 reg. 2(3)
- reg 16 am by S.S.I. 2003/163 regs 35
- reg 16 am by S.S.I. 2004/49 regs 2-4
- reg 16 am by S.S.I. 2005/111 reg 3
- reg 16 am by S.S.I. 2006/60 reg 3
- reg 16 am by S.S.I. 2007/60 reg 7
- reg 16 am by S.S.I. 2008/47 reg 3
- reg 16 am by S.S.I. 2009/49 regs 23
- reg.16 amended by S.S.I. 2000/399 reg.4
- reg. 16(2) words inserted by S.S.I. 2002/495 reg. 2(b)
- reg.16(2)(a)(v) amended by S.I. 1997/726 reg.4(a)
- reg.16(2)(a)(v) amended by S.I. 1997/726 reg.4(a)
- reg. 16(2)(a)(v) words inserted by S.I. 2008/1879 reg. 35(4)(a)
- reg. 16(2)(a)(vii) words substituted by S.S.I. 2013/142 reg. 4(3)(a)
- reg. 16(2)(a)(iv) omitted by S.S.I. 2011/134 reg. 3(a)
- reg. 16(2)(b) omitted by S.S.I. 2011/134 reg. 3(a)

- reg. 16(2)(b) sum substituted by S.S.I. 2002/495 reg. 2(a)
- reg. 16(2)(b) sum substituted by S.S.I. 2010/57 reg. 3
- reg.16(2)(c) rev.in pt. by S.I. 1997/726 reg.4(b)
- reg.16(2)(c) rev.in pt. by S.I. 1997/726 reg.4(b)
- reg. 16(2)(c) words inserted by S.S.I. 2013/65 reg. 4
- reg. 16(2)(c) words inserted by S.I. 2008/1879 reg. 35(4)(b)
- reg. 16(2)(c) words omitted by S.S.I. 2013/142 reg. 4(3)(b)
- reg. 16(2)(c) words substituted by S.S.I. 2013/250 reg. 2(2)
- reg. 16(2)(g) omitted by S.S.I. 2011/134 reg. 3(a)
- reg. 16(2)(h) word omitted by S.S.I. 2011/134 reg. 3(b)
- regs.17-19 excl. by S.I. 1998/1938 reg.4(a)
- reg. 17(1)(a) substituted by S.S.I. 2022/292 reg. 3(a)
- reg 18 am by S.S.I. 2007/60 reg 8
- reg 21 am by S.S.I. 2004/492 regs 26
- reg.21 mod. by S.I. 1998/1938 reg.4(d)
- reg.21 substituted by S.I. 1998/724 reg.4

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 2A inserted by S.S.I. 2008/240 reg. 3(7)(b)
- Sch. 2 para. 5(d)(l) inserted by S.S.I. 2013/137 reg. 9(4)
- Sch. 2 para. 5(bb) inserted by S.S.I. 2013/142 reg. 4(4)(a)
- Sch. 2 para. 5(d)(aa)(ab) inserted by S.S.I. 2013/142 reg. 4(4)(b)
- Sch. 2 para. 4A(4) inserted by S.S.I. 2013/200 reg. 4(4)
- Sch. 2 para. 5(bc) inserted by S.S.I. 2020/424 reg. 2(4)(b)
- Sch. 2 para. 5(d)(m) inserted by S.S.I. 2020/424 reg. 2(4)(c)
- Sch. 2 para. 5(bd) inserted by S.S.I. 2021/333 reg. 2(4)
- Sch. 2 para. 5(d)(aza)(azb) inserted by S.S.I. 2021/73 reg. 4(3)
- Sch. 2 para. 5(d)(azc)(azd) inserted by S.S.I. 2022/31 reg. 4(3)
- Sch. 2 para. 5(be)-(bg) inserted by S.S.I. 2023/11 reg. 2(4)
- sch. 2 para. 5(2)(aze) inserted by S.S.I. 2023/258 reg. 4(4)
- Sch. 2 para. 5(d)para. 5(azf)(azg) inserted by S.S.I. 2024/141 reg. 5(3)
- Sch. 2 para. 5(k) inserted by S.I. 2008/1879 reg. 35(5)
- Sch. 2 para. 5(bg) words inserted by S.S.I. 2023/178 reg. 5(5)
- Sch. 2 para. 5(ba) words substituted by S.S.I. 2014/90 Sch. Pt. 3
- Sch. 3 Pt. 1 para. 4A inserted by S.S.I. 2011/41 reg. 6(a)
- Sch. 3 Pt. 1 para. 1A inserted by S.S.I. 2014/257 reg. 2
- Sch. 3 Pt.034 inserted by S.S.I. 2017/466 reg. 5(5)(b)
- Sch. 3 Pt. 56 inserted by S.S.I. 2021/55 reg. 3(5)
- Sch. 3 Pt. 78 inserted by S.S.I. 2023/313 reg. 5(5)(c)
- Sch. 3 Pt. 2 para. E substituted by S.S.I. 2013/250 reg. 2(4)
- sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2019/78 reg. 6(5)(c)
- sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2019/78 reg. 6(5)(d)
- sch. 3 Pt. 4 para. 4(b)(i) sum substituted by S.S.I. 2019/78 reg. 6(5)(e)
- sch. 3 Pt. 4 para. 4(b)(i) sum substituted by S.S.I. 2019/78 reg. 6(5)(f)
- sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2019/78 reg. 6(5)(g)
- sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2019/78 reg. 6(5)(h)
- sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2019/78 reg. 6(5)(k)
- sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2019/78 reg. 6(5)(l)
- sch. 3 Pt. 5 sum substituted by S.S.I. 2021/56 reg. 6(6)(a)
- sch. 3 Pt. 5 sum substituted by S.S.I. 2021/56 reg. 6(6)(b)
- sch. 3 Pt. 5 sum substituted by S.S.I. 2021/56 reg. 6(6)(c)
- sch. 3 Pt. 5 sum substituted by S.S.I. 2022/30 reg. 6(6)(a)
- sch. 3 Pt. 5 sum substituted by S.S.I. 2022/30 reg. 6(6)(b)

- sch. 3 Pt. 5 sum substituted by S.S.I. 2022/30 reg. 6(6)(c)
- Sch. 3 Pt. 5 sum substituted by S.S.I. 2023/135 reg. 7(3)(e)(i)
- Sch. 3 Pt. 5 sum substituted by S.S.I. 2023/135 reg. 7(3)(e)(ii)
- Sch. 3 Pt. 5 sum substituted by S.S.I. 2023/135 reg. 7(3)(e)(iii)
- Sch. 3 Pt. 1 para. 1(a) omitted by S.S.I. 2008/240 reg. 3(8)(a)
- sch. 3 Pt. 1 para. 3(a) sum substituted by S.S.I. 2021/56 reg. 6(2)(b)(i)
- sch. 3 Pt. 1 para. 3(b) sum substituted by S.S.I. 2021/56 reg. 6(2)(b)(ii)
- sch. 3 Pt. 1 para. 3(a) sum substituted by S.S.I. 2022/30 reg. 6(2)(c)(i)
- sch. 3 Pt. 1 para. 3(b) sum substituted by S.S.I. 2022/30 reg. 6(2)(c)(ii)
- Sch. 3 Pt. 1 para. 3(a) sum substituted by S.S.I. 2023/135 reg. 7(3)(a)(ii)(aa)
- Sch. 3 Pt. 1 para. 3(b) sum substituted by S.S.I. 2023/135 reg. 7(3)(a)(ii)(bb)
- Sch. 3 Pt. 1 para. 1(a) words omitted by S.S.I. 2008/240 reg. 3(8)(a)
- Sch. 3 Pt. 1 para. 1(b) words substituted by S.S.I. 2008/240 reg. 3(8)(b)
- sch. 3 Pt. 3 substituted by S.S.I. 2019/78 sch. 14
- sch. 3 Pt. 3 substituted by S.S.I. 2021/56 sch. 14
- sch. 3 Pt. 3 substituted by S.S.I. 2022/30 sch. 14
- Sch. 3 Pt. 3 Table substituted by S.S.I. 2023/135 Sch. 11
- Sch. 3 Pt. 4 para. 4(b)(i) by S.S.I. 2023/135 reg. 7(3)(d)(v)
- sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2021/56 reg. 6(5)(a)
- sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2021/56 reg. 6(5)(b)
- sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2021/56 reg. 6(5)(c)
- sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2021/56 reg. 6(5)(d)
- sch. 3 Pt. 4 para. 4(b)(i) sum substituted by S.S.I. 2021/56 reg. 6(5)(e)
- sch. 3 Pt. 4 para. 4(b)(i) sum substituted by S.S.I. 2021/56 reg. 6(5)(f)
- sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2021/56 reg. 6(5)(g)
- sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2021/56 reg. 6(5)(h)
- sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2021/56 reg. 6(5)(i)
- sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2021/56 reg. 6(5)(j)
- sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2021/56 reg. 6(5)(k)
- sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2021/56 reg. 6(5)(l)
- sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2022/30 reg. 6(5)(a)
- sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2022/30 reg. 6(5)(b)
- sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2022/30 reg. 6(5)(c)
- sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2022/30 reg. 6(5)(d)
- sch. 3 Pt. 4 para. 4(b)(i) sum substituted by S.S.I. 2022/30 reg. 6(5)(e)
- sch. 3 Pt. 4 para. 4(b)(i) sum substituted by S.S.I. 2022/30 reg. 6(5)(f)
- sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2022/30 reg. 6(5)(g)
- sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2022/30 reg. 6(5)(h)
- sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2022/30 reg. 6(5)(i)
- sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2022/30 reg. 6(5)(j)
- sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2022/30 reg. 6(5)(k)
- sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2022/30 reg. 6(5)(l)
- Sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(i)
- Sch. 3 Pt. 4 para. 3 sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(ii)
- Sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(iii)
- Sch. 3 Pt. 4 para. 4(a) sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(iv)
- Sch. 3 Pt. 4 para. 4(b)(i) sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(vi)
- Sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(vii)
- Sch. 3 Pt. 4 para. 4(b)(ii) sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(viii)
- Sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(ix)
- Sch. 3 Pt. 4 para. 5 sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(x)
- Sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(xi)
- Sch. 3 Pt. 4 para. 6 sum substituted by S.S.I. 2023/135 reg. 7(3)(d)(xii)
- Sch. 3 Pt. 5 Table substituted by S.S.I. 2023/313 reg. 5(5)(a)
- sch. 3 Pt. 6 para. 3(a) sum substituted by S.S.I. 2021/56 reg. 6(7)(a)
- sch. 3 Pt. 6 para. 3(a) sum substituted by S.S.I. 2021/56 reg. 6(7)(b)
- sch. 3 Pt. 6 para. 3(b)(i) sum substituted by S.S.I. 2021/56 reg. 6(7)(c)
- sch. 3 Pt. 6 para. 3(b)(i) sum substituted by S.S.I. 2021/56 reg. 6(7)(d)

- sch. 3 Pt. 6 para. 3(b)(ii) sum substituted by S.S.I. 2021/56 reg. 6(7)(e)
- sch. 3 Pt. 6 para. 3(b)(ii) sum substituted by S.S.I. 2021/56 reg. 6(7)(f)
- sch. 3 Pt. 6 para. 4 sum substituted by S.S.I. 2021/56 reg. 6(7)(g)
- sch. 3 Pt. 6 para. 4 sum substituted by S.S.I. 2021/56 reg. 6(7)(h)
- sch. 3 Pt. 6 para. 5(a) sum substituted by S.S.I. 2021/56 reg. 6(7)(i)
- sch. 3 Pt. 6 para. 5(a) sum substituted by S.S.I. 2021/56 reg. 6(7)(j)
- sch. 3 Pt. 6 para. 5(b) sum substituted by S.S.I. 2021/56 reg. 6(7)(k)
- sch. 3 Pt. 6 para. 5(b) sum substituted by S.S.I. 2021/56 reg. 6(7)(l)
- sch. 3 Pt. 6 para. 3(a) sum substituted by S.S.I. 2022/30 reg. 6(7)(a)
- sch. 3 Pt. 6 para. 3(a) sum substituted by S.S.I. 2022/30 reg. 6(7)(b)
- sch. 3 Pt. 6 para. 3(b)(i) sum substituted by S.S.I. 2022/30 reg. 6(7)(c)
- sch. 3 Pt. 6 para. 3(b)(i) sum substituted by S.S.I. 2022/30 reg. 6(7)(d)
- sch. 3 Pt. 6 para. 3(b)(ii) sum substituted by S.S.I. 2022/30 reg. 6(7)(e)
- sch. 3 Pt. 6 para. 3(b)(ii) sum substituted by S.S.I. 2022/30 reg. 6(7)(f)
- sch. 3 Pt. 6 para. 4 sum substituted by S.S.I. 2022/30 reg. 6(7)(g)
- sch. 3 Pt. 6 para. 4 sum substituted by S.S.I. 2022/30 reg. 6(7)(h)
- sch. 3 Pt. 6 para. 5(a) sum substituted by S.S.I. 2022/30 reg. 6(7)(i)
- sch. 3 Pt. 6 para. 5(a) sum substituted by S.S.I. 2022/30 reg. 6(7)(j)
- Sch. 3 Pt. 6 para. 5(b) sum substituted by S.S.I. 2022/30 reg. 6(7)(k)
- Sch. 3 Pt. 6 para. 5(b) sum substituted by S.S.I. 2022/30 reg. 6(7)(l)
- Sch. 3 Pt. 6 para. 3(a) sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(i)
- Sch. 3 Pt. 6 para. 3(a) sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(ii)
- Sch. 3 Pt. 6 para. 3(b)(i) sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(iii)
- Sch. 3 Pt. 6 para. 3(b)(i) sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(iv)
- Sch. 3 Pt. 6 para. 3(b)(ii) sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(v)
- Sch. 3 Pt. 6 para. 3(b)(ii) sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(vi)
- Sch. 3 Pt. 6 para. 4 sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(vii)
- Sch. 3 Pt. 6 para. 4 sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(viii)
- Sch. 3 Pt. 6 para. 5 sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(ix)
- Sch. 3 Pt. 6 para. 5 sum substituted by S.S.I. 2023/135 reg. 7(3)(f)(x)
- Sch. 3 Pt. 6 Table para. 2 words substituted by S.S.I. 2023/313 reg. 5(5)(b)
- Sch. 3 Pt. 2 para. DA inserted by S.S.I. 2011/41 reg. 6(b)
- reg. 2A inserted by S.S.I. 2011/161 reg. 2(2)
- reg. 4A inserted by S.S.I. 2017/466 reg. 5(2)
- reg. 4A substituted by S.S.I. 2021/55 reg. 3(2)
- reg. 4A(d) inserted by S.S.I. 2023/313 reg. 5(2)
- reg. 5(1A) inserted by S.S.I. 2023/178 reg. 5(3)(c)
- reg. 5(3) inserted by S.S.I. 2023/178 reg. 5(3)(e)
- reg. 6(1)(b) word inserted by S.S.I. 2013/200 reg. 4(3)(a)
- reg. 6(1)(b) words substituted by S.S.I. 2005/445 art. 2Sch. para. 24
- reg. 6(1)(c) inserted by S.S.I. 2013/200 reg. 4(3)(b)
- regs 8A - 8B added by S.S.I. 2007/60 reg 5
- reg. 8C inserted by S.S.I. 2008/240 reg. 3(2)
- reg. 13(3) words inserted by S.S.I. 2008/240 reg. 3(3)(a)
- reg. 13(6)(7) added by S.S.I. 2008/240 reg. 3(3)(b)
- reg. 14A inserted by S.S.I. 2008/240 reg. 3(4)
- reg. 14A(4) inserted by S.S.I. 2017/466 reg. 5(3)
- reg. 14A(4) word omitted by S.S.I. 2023/313 reg. 5(3)(a)
- reg. 14A(4) words inserted by S.S.I. 2021/55 reg. 3(3)
- reg. 14A(4) words inserted by S.S.I. 2023/313 reg. 5(3)(b)
- reg 15A added by S.S.I. 2004/492 regs 25
- reg. 15A(1) words inserted by S.S.I. 2008/240 reg. 3(5)
- reg.16(2)(a)(x) added by S.I. 1998/724 reg.3
- reg. 16(2)(a)(xii)-(xiv) inserted by S.S.I. 2020/424 reg. 2(3)
- reg. 16(2)(a)(xvi)(xvii) inserted by S.S.I. 2023/11 reg. 2(3)(a)
- reg. 16(2)(a)(xvii) words inserted by S.S.I. 2023/178 reg. 5(4)(a)
- reg. 16(2)(a)(xi) inserted by S.S.I. 2013/137 reg. 9(3)
- reg. 16(2)(a)(xv) inserted by S.S.I. 2021/333 reg. 2(3)

- reg.16(2)(i)(j) added by S.I. 1997/726 reg.4(c)
- reg.16(2)(i)(j) added by S.I. 1997/726 reg.4(c)
- reg. 16(2)(i) words substituted by S.S.I. 2014/90 Sch. Pt. 3
- reg. 16(2)(k) omitted by S.S.I. 2011/134 reg. 3(a)
- reg. 16(2)(l) words omitted by S.S.I. 2010/166 reg. 5(a)
- reg. 16(2)(m) inserted by S.S.I. 2010/166 reg. 5(b)
- reg. 16(2)(n) inserted by S.S.I. 2023/11 reg. 2(3)(b)
- reg. 16(2)(n) words inserted by S.S.I. 2023/178 reg. 5(4)(b)
- reg. 16(2)(ca) inserted by S.S.I. 2013/142 reg. 4(3)(c)
- reg. 16(2)(cb) inserted by S.S.I. 2021/73 reg. 4(2)
- reg. 16(2)(cc) inserted by S.S.I. 2022/31 reg. 4(2)
- reg. 16(2)(cd) inserted by S.S.I. 2023/258 reg. 4(3)
- reg. 16(2)(ce) inserted by S.S.I. 2024/141 reg. 5(2)
- reg. 16A inserted by S.S.I. 2020/191 reg. 4
- reg. 16A heading substituted by S.S.I. 2022/229 reg. 4(a)
- reg. 16A(1) substituted by S.S.I. 2022/229 reg. 4(b)
- reg. 16A(2) omitted by S.S.I. 2022/229 reg. 4(c)
- reg. 17(1A) inserted by S.S.I. 2017/466 reg. 5(4)
- reg. 17(1A)(c)(d) inserted by S.S.I. 2021/55 reg. 3(4)
- reg. 17(1A)(e)(f) inserted by S.S.I. 2023/313 reg. 5(4)
- reg. 17(1B)(1C) inserted by S.S.I. 2022/292 reg. 3(b)
- reg. 17(1B) sum substituted by S.S.I. 2023/135 reg. 7(2)
- reg. 17(3)-(5) added by S.S.I. 2008/240 reg. 3(6)
- reg. 17(4A)(4B) inserted by S.S.I. 2017/291 reg. 4(2)
- reg 22 added by S.I. 2010/462 regs 34