SCOTTISH STATUTORY INSTRUMENTS

2003 No. 163

LEGAL AID AND ADVICE

The Advice and Assistance (Scotland) Amendment Regulations 2003

Made - - - -	*10th March 2003*
Laid before the Scottish Parliament - - - -	*10th March 2003*
Coming into force - -	*6th April 2003*

The Scottish Ministers, in exercise of the powers conferred by sections 12(3), 37(1) and 42 of the Legal Aid (Scotland) Act 1986(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Advice and Assistance (Scotland) Amendment Regulations 2003 and shall come into force on 6th April 2003.

Application

2. These Regulations shall apply only in relation to any case where an application for advice and assistance is made on or after 6th April 2003.

Amendment of the Advice and Assistance (Scotland) Regulations 1996

3. The Advice and Assistance (Scotland) Regulations 1996(**2**) are amended in accordance with the following regulations.

4. For regulation 7(2) substitute–

> "(2) For the purposes of section 42 of the Act, two persons living together as husband and wife or in a relationship which has the characteristics of the relationship between husband and wife except that the persons are of the same sex shall be treated as if they were spouses of each other.".

(**1**) 1986 c. 47. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(**2**) S.I.1996/2447, as amended by S.I. 1997/726, 1998/724 and S.S.I. 2000/181 and 399 and 2002/495.