SCOTTISH STATUTORY INSTRUMENTS

2003 No. 49

LEGAL AID AND ADVICE

The Civil Legal Aid (Scotland) Amendment Regulations 2003

Made - - - -	*29th January 2003*
Laid before the Scottish Parliament - - - -	*30th January 2003*
Coming into force - -	*7th April 2003*

The Scottish Ministers, in exercise of the powers conferred by sections 36(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 Civil Legal Aid (Scotland) Amendment Regulations 2003 and shall come into force on 7th April 2003.

Application

2. These Regulations shall apply only in relation to any case where an application for civil legal aid is made on or after 7th April 2003.

Amendment of the Civil Legal Aid (Scotland) Regulations 2002

3. The Civil Legal Aid (Scotland) Regulations 2002(**2**) are amended in accordance with the following regulations.

4. For regulation 11(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.".

5. In regulation 33(b), for "£4,200" substitute "£4,275".

6. In regulation 35, for "33" substitute "32".

(**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.S.I. 2002/494.