SCOTTISH STATUTORY INSTRUMENTS

2002 No. 144

LEGAL AID AND ADVICE

The Advice and Assistance (Financial Conditions) (Scotland) Regulations 2002

Made - - - -	*19th March 2002*
Coming into force - -	*8th April 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 11(2), 36(1) and (2)(b) and 37(1) of the Legal Aid (Scotland) Act 1986(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations, a draft of which has, in accordance with section 37(2) of that Act, been laid before, and approved by resolution of, the Scottish Parliament:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Advice and Assistance (Financial Conditions) (Scotland) Regulations 2002 and shall come into force on 8th April 2002.

(2) In these Regulations, "the Act" means the Legal Aid (Scotland) Act 1986.

Application

2. These Regulations shall apply only in relation to any case where an application for advice and assistance is made on or after 8th April 2002.

Amendment of the Act

3. For the weekly sum of £186 specified in section 8(a) of the Act(**2**), there shall be substituted the weekly sum of £189.

4. For the weekly sum of £79 specified in section 11(2)(a) of the Act(**3**), there shall be substituted the weekly sum of £80.

(**1**) 1986 c. 47; section 11(2) was amended by the Social Security Act 1986 (c. 50), Schedule 10, paragraph 61, the Jobseekers Act 1995 (c. 18), Schedule 2, paragraph 9 and the Access to Justice Act 1999 (c. 22), section 33. Section 36(2)(b) was amended by the Legal Aid Act 1988 (c. 34), Schedule 4, paragraph 6. 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**) The existing figure specified in section 8(a) was inserted by S.S.I. 2001/124.

(**3**) The existing figure specified in section 11(2)(a) was inserted by S.S.I. 2001/124.

Liability to pay fees or outlays under section 11(2) of the Act

5. The maximum amount of fees or outlays which a client shall be liable to pay under section 11(2) of the Act(**4**), where that client's disposable income falls within a range specified in the first column of the following table, shall be the amount specified in relation to that range in the second column:–

Disposable income range	*Maximum contribution*
1. Exceeding £80 but not exceeding £87 a week	£7
2. Exceeding £87 but not exceeding £94 a week	£14
3. Exceeding £94 but not exceeding £101 a week	£21
4. Exceeding £101 but not exceeding £108 a week	£28
5. Exceeding £108 but not exceeding £115 a week	£35
6. Exceeding £115 but not exceeding £122 a week	£42
7. Exceeding £122 but not exceeding £129 a week	£49
8. Exceeding £129 but not exceeding £136 a week	£56
9. Exceeding £136 but not exceeding £143 a week	£63
10. Exceeding £143 but not exceeding £150 a week	£70
11. Exceeding £150 but not exceeding £157 a week	£77
12. Exceeding £157 but not exceeding £164 a week	£84
13. Exceeding £164 but not exceeding £171 a week	£91
14. Exceeding £171 but not exceeding £178 a week	£98
15. Exceeding £178 but not exceeding £185 a week	£105
16. Exceeding £185 but not exceeding £189 a week	£107

(**4**) The existing maximum amounts are specified in S.S.I. 2001/124.