
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 376 (C. 24)

**LEGAL AID AND ADVICE
LEGAL PROFESSION**

The Legal Profession and Legal Aid (Scotland)
Act 2007 (Commencement No. 6) Order 2010

Made - - - - 1st November 2010

The Scottish Ministers make the following Order in exercise of the powers conferred by section 82(2) of the Legal Profession and Legal Aid (Scotland) Act 2007⁽¹⁾.

Citation

1. This Order may be cited as the Legal Profession and Legal Aid (Scotland) Act 2007 (Commencement No. 6) Order 2010.

Appointed day

2. 25th November 2010 is the day appointed for sections 64, 65 and 72 of the Legal Profession and Legal Aid (Scotland) Act 2007 to come into force.

St Andrew's House,
Edinburgh
1st November 2010

KENNY MACASKILL
A member of the Scottish Executive

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings sections 64, 65 and 72 of the Legal Profession and Legal Aid (Scotland) Act 2007 into force on 25th November 2010.

Section 64 amends the Legal Aid (Scotland) Act 1986 (c.47) (“the 1986 Act”) to transfer the function of granting criminal legal aid in relation to solemn proceedings from the courts to the Scottish Legal Aid Board.

Section 65 amends the 1986 Act to confer on the Scottish Legal Aid Board powers to make grants of criminal legal aid subject to conditions, and imposes obligations to establish procedures under which those receiving criminal legal aid can apply for any such condition to be reviewed.

Section 72 amends the 1986 Act to the same effect as section 65 in relation to civil legal aid and legal aid under section 29 of the 1986 Act (legal aid in respect of certain proceedings in relation to children).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.S.I. No.</i> |
|---|-----------------------------|--------------------------|
| Sections 69(1), (2)(a) and (4), 71, 73 and 76 | 8th February 2007 | 2007/57 |
| Sections 1 (so far as relating to paragraphs 1 to 7, 12 and 14 of schedule 1), 44, 61, 81 (so far as relating to paragraph 3(10) of schedule 5) and paragraphs 1 to 7, 12 and 14 of schedule 1 and paragraph 3(10) of schedule 5 | 19th March 2007 | 2007/140 |
| Sections 67, 68 and 74 | 30th July 2007 | 2007/335 |
| Sections 1 (insofar as not already commenced), 27, 29, 30, 31, 32, 34, 39, 41, 58, 59, 60, 62, 63, 78 and 81 (so far as relating to paragraphs 1(15) and (16) and 6 of schedule 5, paragraphs 8 to 11, 13, 15 and 16 of schedule 1, schedule 3, and paragraphs 1(15) and (16) and 6 of schedule 5 | 23rd November 2007 | 2007/497 |
| Sections 2 to 26, 28, 33, 35 to 38, 40, 42, 43 and 45, 47 to 57, 66, 77, 81 (insofar as not already commenced), schedule 2, schedule 4 and schedule 5 (insofar as not already commenced and with the exception of paragraph 3(7)(a)(iii)) | 1st October 2008 | 2008/311 |