

Draft Regulations laid before the Scottish Parliament under section 37(2) of the Legal Aid (Scotland) Act 1986, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2006 No.

LEGAL AID AND ADVICE

The Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 2006

Made - - - - 2006
Coming into force in accordance with regulation 1

The Scottish Ministers, in exercise of the powers conferred by section 21(2) 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 and commencement

1. These Regulations may be cited as the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 2006 and shall come into force on the day after the day on which they are made.

Amendment of the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1997

2. In regulation 3 of the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1997(2)–

- (a) at the end of paragraph (l), omit “and”; and
- (b) at the end, insert–
 - “; and
 - (o) under section 57 or 58 of the Police, Public Order and Criminal Justice (Scotland) Act 2006(3) in relation to the variation or termination of a football banning order made under section 51 of that Act.”

(1) 1986 c. 47. The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).
(2) S.I.1997/3069 as amended by S.I. 1998/969, 1999/215 and S.S.I. 2001/381.
(3) 2006 asp 10.

St Andrew's House,
Edinburgh
2006

Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1997 and provide that criminal legal aid shall not be available for proceedings under section 57 or 58 of the Police, Public Order and Criminal Justice (Scotland) Act 2006 (variation or termination of a football banning order). Assistance by way of representation under Part II of the Legal Aid (Scotland) Act 1986 is made available in relation to these prescribed proceedings by regulation 4 of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2006 (SSI 2006/).