Legal Aid (Scotland) Act 1986

1986 CHAPTER 47

PART VI

MISCELLANEOUS

Regulations and rules of court

37 Parliamentary procedure.

(1) Regulations under this Act shall be made by the Secretary of State by statutory instrument and, except as provided in subsection (2) below, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) No regulations shall be made under section 7, **[**[F1]8A(1),**]** 9, 11(2), 13(4), 17(2), 21(2), 24(4)**[**[F2], 28C(3), 28K(2), 28L(1) or (8),**][**[F3]28LA(1),**][**[F4]28LB(1),**][**[F5], 33ZA(1)**]** or 36(2)(b) of this Act unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament.

[F6](3) . . ..

Textual Amendments

F1 Words in s. 37(2) inserted (30.10.2010) by Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010 (asp 15), **ss. 2(4)**, 9

F2 Words in s. 37(2) inserted (24.6.2013) by Children's Hearings (Scotland) Act 2011 (asp 1), s. 206(2), **sch. 5 para. 1(7)** (with s. 186); S.S.I. 2013/195, arts. 2, 3

F3 Word in s. 37(2) inserted (28.11.2016) by Children and Young People (Scotland) Act 2014 (asp 8), s. 102(3), **sch. 5 para. 3(3)**; S.S.I. 2016/254, art. 3(2)(b)

F4 Word in s. 37(2) inserted (31.3.2020) by Age of Criminal Responsibility (Scotland) Act 2019 (asp 7), **ss. 73(4)**, 84(2); S.S.I. 2020/74, reg. 2, sch.

F5 Word in s. 37(2) inserted (11.10.2013) by Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 (asp 3), **ss. 23(10)**, 25(2); S.S.I. 2013/262, art. 2

F6 S. 37(3) repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 86(4)**

Changes to legislation:
Legal Aid (Scotland) Act 1986, Section 37 is up to date with all changes known to be in force on or before 27 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(2)(aba)(abb) inserted by 2007 asp 5 s. 75(2)
- s. 4(2)(aba) word substituted by S.S.I. 2011/235 art. 5(2)(a) (This amendment comes into force immediately after the commencement of the Legal Profession and Legal Aid (Scotland) Act 2007 (asp 5), s. 75, see art. 2(2). That provision is still prospective.)
- s. 4(2)(abb) word substituted by S.S.I. 2011/235 art. 5(2)(b) (This amendment comes into force immediately after the commencement of the Legal Profession and Legal Aid (Scotland) Act 2007 (asp 5), s. 75, see art. 2(2). That provision is still prospective.)
- s. 4(2)(ba) inserted by 2007 asp 5 s. 70(1)
- s. 4(3)(ca)(cb) inserted by 2007 asp 5 s. 75(3)
- s. 9A9B inserted by 2013 asp 3 s. 18(2)
- s. 10(1A)(1B) inserted by 2007 asp 5 s. 69(3)
- s. 12C and cross-heading inserted by 2007 asp 5 s. 70(2)
- s. 17(2C)-(2I) inserted by 2007 asp 5 s. 75(4)
- s. 17(2DA)(2DB) s. 17(2C)(2D) renumbered as s. 17(2DA)(2DB) by S.S.I. 2011/235 art. 5(3) (This amendment comes into force immediately after the commencement of the Legal Profession and Legal Aid (Scotland) Act 2007 (asp 5), s. 75, see art. 2(2). That provision is still prospective.)
- s. 25AA(5)-(9) inserted by 2013 asp 3 s. 21
- s. 25AC25AD inserted by 2013 asp 3 s. 20