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1976 No. 371 (S. 29)

**LEGAL AID AND ADVICE, SCOTLAND**

**Act of Adjournal (Rules for Legal Aid in Criminal Proceedings  
Amendment) 1976**

*Made - - - - - 5th March 1976*

*Coming into Operation 1st April 1976*

The Lord Justice General, Lord Justice Clerk and Lords Commissioners of Justiciary, by virtue of the powers conferred upon them by Section 16 of the Legal Aid (Scotland) Act 1967(a) and Sections 282 and 457 of the Criminal Procedure (Scotland) Act 1975(b), and of all other powers competent to them in that behalf, do hereby enact and declare:

*Citation and interpretation*

1.—(1) This Act of Adjournal may be cited as the Act of Adjournal (Rules for Legal Aid in Criminal Proceedings Amendment) 1976 and shall come into operation on 1st April 1976.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this Act of Adjournal as it applies for the interpretation of an Act of Parliament.

*Amendments to Section 10 of Act of Adjournal (Rules for Legal Aid in Criminal Proceedings) 1964(d).*

2. The said Section 10 is amended—

(a) in the headnote, by substituting for the words “Disqualification for continuance of legal aid” the words “Discontinuance of entitlement to legal aid”; and

(b) in paragraph (1), by inserting after sub-paragraph (e) the following words:

“(f) no longer wishes to be entitled to legal aid; or

(g) wishes to dispense with the services of the nominated solicitor;

or if the Court is satisfied that it is otherwise unreasonable for the nominated solicitor to continue to act on behalf of the assisted person in the proceedings”.

And the Lords appoint this Act of Adjournal to be recorded in the Books of Adjournal, and to be published in the Edinburgh Gazette.

G. C. Emslie  
I.P.D.

Edinburgh,  
5th March 1976.

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(a) 1967 c. 43.  
(c) 1889 c. 63.

(b) 1975 c. 21.  
(d) S.I. 1964/1409 (1964 III, p. 3285).

**EXPLANATORY NOTE**

*(This Note is not part of the Act of Adjournal.)*

This Act of Adjournal amends the Act of Adjournal (Rules for Legal Aid in Criminal Proceedings) 1964 by making provision for additional circumstances in which the Court may discontinue legal aid.

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