

1987 No. 431 (S. 43)

LEGAL AID AND ADVICE, SCOTLAND

**The Civil Legal Aid (Scotland) Amendment Regulations
1987**

<i>Made</i>	- - - -	<i>13th March 1987</i>
<i>Laid before Parliament</i>		<i>18th March 1987</i>
<i>Coming into force</i>		<i>1st April 1987</i>

The Secretary of State, in exercise of the powers conferred on him by section 36 of the Legal Aid (Scotland) Act 1986(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Civil Legal Aid (Scotland) Amendment Regulations 1987 and shall come into force on 1st April 1987.

2. After regulation 18 of the Civil Legal Aid (Scotland) Regulations 1987(b) there shall be inserted the following regulation:-

“Legal aid for urgent steps in proceedings

18A—(1) Where in relation to any proceedings—

- (a) any step mentioned in paragraph (2) below has required to be taken (as a matter of urgency in order to protect the applicant’s position in those proceedings) before an application for legal aid is determined by the Board; and
- (b) the application is granted by the Board,
the legal aid made available shall include legal aid in relation to any such step.

(2) The steps to which paragraph (1) above applies are—

- (a) entering appearance or lodging notice of intention to defend or appear;
- (b) moving that the action be sisted to enable an application for legal aid to be determined by the Board; and
- (c) where the court requires it, lodging defences.”.

New St. Andrew’s House, Edinburgh
13th March 1987

Ian Lang
Parliamentary Under Secretary of State,
Scottish Office

(a) 1986 c.47.
(b) S.I. 1987/381.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st April 1987, amend the Civil Legal Aid (Scotland) Regulations 1987. They enable payment to be made from the Scottish Legal Aid Fund for certain urgent work done before the determination of an application for legal aid provided that when that application is determined, legal aid for the proceedings is made available.

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