
STATUTORY INSTRUMENTS

1996 No. 1009 (S.110)

LEGAL AID AND ADVICE, SCOTLAND

The Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 1996

Made - - - - 28th March 1996
Coming into force - - 31st March 1996

The Secretary of State, in exercise of the powers conferred on him by sections 21(2) and 36(1) of the Legal Aid (Scotland) Act 1986⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes 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, each House of Parliament:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 1996 and shall come into force on 31st March 1996.

(2) In these Regulations, “the principal Regulations” means the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1994⁽²⁾.

Application

2. These Regulations shall not apply in relation to any case where criminal legal aid is granted before 31st March 1996.

Proceedings in which criminal legal aid shall not be available

3. In regulation 3 of the principal Regulations (proceedings in which criminal legal aid shall not be available) at the end there shall be added—

“(g) under sections 91 (recall or variation of suspended forfeiture order), 92 (property wrongly forfeited: return or compensation) or 93 (appeal against court decision under section 91(1) or 92(2)) of the Criminal Justice (Scotland) Act 1995⁽³⁾.”.

(1) 1986 c. 47.

(2) S.I. 1994/1001, as amended by S.I. 1995/1222.

(3) 1995 c. 20.

Status: This is the original version (as it was originally made).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

St Andrew's House,
Edinburgh
28th March 1996

James Douglas-Hamilton
Minister of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1994 by adding to the proceedings in connection with which criminal legal aid is not to be available. The proceedings are those to which assistance by way of representation under Part II of the Legal Aid (Scotland) Act 1986 is made available by regulation 3 of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 1996 (S.I. [1996/1011](#)).