



# Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

## PART 4

### LEGAL AID

#### **71 Availability of civil legal aid for defamation or verbal injury**

- (1) The 1986 Act is amended as follows.
- (2) In section 14 (availability of civil legal aid), after subsection (1B) insert—
  - “(1C) In the case of proceedings described in paragraph 1 of Part II of Schedule 2 to this Act, civil legal aid shall be available to a person only if, in addition to the requirements which have to be met under subsection (1) and section 15 of this Act and subject to paragraph 2 of Part II of Schedule 2, such criteria as may be set out by the Scottish Ministers in directions given to the Board are met.
  - (1D) A direction given under subsection (1C) may—
    - (a) include criteria in respect of which the Board may require to satisfy itself;
    - (b) make different provision for different purposes;
    - (c) be varied or revoked at any time.
  - (1E) Where the Scottish Ministers give a direction under subsection (1C)—
    - (a) the Board must comply with it;
    - (b) the Scottish Ministers must arrange for the direction to be published in such manner as they consider appropriate.”.
- (3) In Part II of Schedule 2 (excepted proceedings)—
  - (a) in paragraph 1, after “to” insert “section 14(1C) and”;
  - (b) in paragraph 2, the words “, and legal” to the end are repealed.