

*Status: This version of this provision is prospective.*

*Changes to legislation: Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Section 21 is up to date with all changes known to be in force on or before 25 May 2023. 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. (See end of Document for details) View outstanding changes*



# Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

## 2013 asp 3

### PART 2

#### CRIMINAL LEGAL ASSISTANCE

##### *Contributions for appeals where appellant deceased*

PROSPECTIVE

#### **21 Contributions for appeals where appellant deceased**

In section 25AA of the 1986 Act (legal aid in respect of appeals under section 303A of the Criminal Procedure (Scotland) Act 1995), after subsection (4) insert—

- “(5) Where legal aid is being made available to an authorised person under this section (in either of the circumstances described in subsection (2) or (3)), the Board may require the payment of a contribution in respect of the expenses of the criminal legal aid of such amount as the Board may determine.
- (6) The Board may require the contribution to be paid from the estate of the deceased person or by the authorised person.
- (7) The amount determined by the Board under subsection (5) must not exceed the whole expenses of the criminal legal aid provided.
- (8) The Board must take into account any contribution made by the deceased person prior to death in assessing the amount of contribution payable.
- (9) It is for the Board to collect any contribution payable under subsection (5).”

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**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provisions amendment to earlier commencing SSI 2013/271 art. 2 by [S.S.I. 2013/271 art. 2](#)

**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. 2(1)(c)(ii) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(b\)\(ii\)](#)
- s. 2(1)(ba) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(a\)](#)
- s. 2(3)(ca) inserted by [2014 asp 10 sch. 9 para. 13\(3\)](#)
- s. 2(7) inserted by [2014 asp 10 sch. 9 para. 13\(4\)](#)
- s. 6(1)(aa) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(b\)](#)
- s. 6(1)(ea) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(c\)](#)
- s. 8(3A) inserted by [2014 asp 10 sch. 9 para. 13\(7\)\(b\)](#)
- s. 13A and cross-heading inserted by [2014 asp 10 sch. 9 para. 13\(9\)](#)
- s. 16(1) s. 16 renumbered as s. 16(1) by [2014 asp 10 sch. 9 para. 13\(10\)\(a\)](#)
- s. 16(1) words inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(b\)](#)
- s. 16(2) inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(c\)](#)