

*These notes relate to the Age of Criminal Responsibility (Scotland)  
Act 2019 (asp 7) which received Royal Assent on 11 June 2019*

# **AGE OF CRIMINAL RESPONSIBILITY (SCOTLAND) ACT 2019**

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## **EXPLANATORY NOTES**

### **PART 4: POLICE INVESTIGATORY AND OTHER POWERS**

#### ***Chapter 5: General provision***

229. The effect of provisions in this Chapter has generally been explained in connection with the police powers provided for in each of Chapters 1 to 4. The exception is section 73, which amends the Legal Aid (Scotland) Act 1986 (the “1986 Act”). Part 5A of that Act provides for children’s legal aid to be available in connection with certain proceedings under the 2011 Act. The amendments made to Part 5A by section 73 of this Act allow the Scottish Ministers to make regulations providing for children’s legal aid to also be available in connection with proceedings before the sheriff in connection with applications for orders authorising the search of children aged under 12, child interview orders and applications for orders authorising the taking of prints and samples in relation to the investigation of harmful behaviour that took place when a child was aged under 12. Such regulations would be subject to affirmative procedure (by virtue of the amendment made to section 37 of the 1986 Act by section 73(4)).