

*Draft Regulations laid before the Scottish Parliament under section 37(2) of the Legal Aid (Scotland) Act 1986 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2022 No.**

**LEGAL AID AND ADVICE**

**The Advice and Assistance (Summary Criminal Proceedings)  
(Miscellaneous Amendment) (Scotland) Regulations 2022**

*Made* - - - - 2022  
*Coming into force* - - 4th November 2022

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 9(1) and (2)(a), 33(2) and (3)(b), (f) and (3A), and 36(2)(b) of the Legal Aid (Scotland) Act 1986<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 37(2) of that Act, a draft of this instrument has been laid before, and approved by resolution of, the Scottish Parliament.

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(1) 1986 c. 47 (“the Act”). The functions of the Secretary of State under the Act were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). Section 33(3A) was inserted by section 51 of the Crime and Punishment (Scotland) Act 1997 (c. 48). Section 36(2)(b) was amended by Schedule 4, paragraph 6 of the Legal Aid Act 1988 (c. 34) and section 23(9)(a)(ii) of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 (asp 3). The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). The Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.