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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2022 No.**

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

**Amendment of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003**

**4.** In regulation 6 (summary criminal proceedings) of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003<sup>(1)</sup> for sub-paragraph (c) of paragraph (1) substitute—

- “(c) in relation to any diet (including ancillary work prior to that diet) in a case in which no plea has previously been tendered, where—
- (i) at the diet a plea of guilty to the charges against the accused is tendered, or a plea of guilty to part thereof which partial plea is accepted by the prosecutor, and thereafter until the case has been finally disposed of;
  - (ii) at the diet the prosecutor accepts a plea of not guilty to the charges to the effect that the case is then concluded; or
  - (iii) prior to calling the case at that diet the prosecutor accepts a plea of not guilty to the charges or otherwise makes a final determination that the case is not to proceed whether at that time or thereafter, and does not call the case at that diet;”.

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<sup>(1)</sup> S.S.I. 2003/179, relevant amending instruments are S.S.I. 2008/251 and S.S.I. 2014/366.