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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2023 No.**

**The Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) (No. 4) Regulations 2023**

**Amendment of the Advice and Assistance (Financial Limit) (Scotland) Regulations 1993**

**4.** In regulation 3(c) (financial limit) of the Advice and Assistance (Financial Limit) (Scotland) Regulations 1993<sup>(1)</sup>—

- (a) in each of sub-paragraphs (xii) to (xiv) and (xvii), for “advice” substitute “assistance”,
- (b) in sub-paragraph (xvi)—
  - (i) for “£225.00” substitute “£250.00”,
  - (ii) for “£550.00” substitute “£600.00”,
- (c) after sub-paragraph (xvi), insert—
  - “(xvia) where the assistance by way of representation relates to an application for a warrant of further detention under paragraph 29 of schedule 8 of the Terrorism Act 2000, or for an extension of the period specified in such a warrant under paragraph 36 of that schedule, the sum of £385,”,
- (d) after sub-paragraph (xvii), insert—
  - “(xviii) where the advice and assistance is for personal attendance by a solicitor and the client has exercised the right to consult a solicitor under paragraph 15(6) of schedule 6 of the National Security Act 2023<sup>(2)</sup>, the sum of £250.00 unless as part of that consultation the solicitor is present at an interview carried out in connection with the client’s detention under section 27 of that Act, in which case the sum of £600.00,
  - (xix) where the assistance by way of representation relates to an application for a warrant of further detention under paragraph 37 of schedule 6 of the National Security Act 2023, or for an extension of the period specified in such a warrant under paragraph 44 of that schedule, the sum of £385.”.

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(1) [S.I. 1993/3187](#). Regulation 3 was substituted by [S.S.I. 2007/248](#) and paragraph (c) of that regulation was inserted by [S.S.I. 2008/251](#) and relevantly amended by [S.S.I. 2021/55](#).

(2) [2023 c. 32](#).