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SCOTTISH STATUTORY INSTRUMENTS

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**2002 No. 246**

**LEGAL AID AND ADVICE**

**The Criminal Legal Aid (Scotland)  
(Fees) Amendment Regulations 2002**

<i>Made</i>	- - - -	<i>21st May 2002</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>23rd May 2002</i>
<i>Coming into force</i>	- -	<i>17th June 2002</i>

The Scottish Ministers, in exercise of the powers conferred by section 33(2)(a) and (3)(b) of the Legal Aid (Scotland) Act 1986<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Criminal Legal Aid (Scotland) (Fees) Amendment Regulations 2002 and shall come into force on 17th June 2002.

**Application**

2. These Regulations shall apply only to outlays incurred on or after 17th June 2002.

**Amendment of the principal Regulations**

3. In regulation 8(1)(b) of the Criminal Legal Aid (Scotland) (Fees) Regulations 1989<sup>(2)</sup> (outlays allowable to solicitors), after “exceed” there is inserted “such sums as are considered by the Board to be reasonable having regard to”.

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(1) 1986 c. 47. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(2) S.I. 1989/1491, amended by S.I. 1990/474 and 1035, 1991/566, 1992/374, 1994/1019, 1997/719, 1999/491 and 1999/1042.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
21st May 2002

*JAMES WALLACE*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Criminal Legal Aid (Scotland) (Fees) Regulations 1989 so that the outlays which may be paid to a solicitor by the Scottish Legal Aid Board (“the Board”) in respect of fees paid to witnesses (who are not Crown witnesses) shall not be restricted to the amount payable by the Crown for witnesses of the same category. Instead, the Board shall pay such fees as it considers to be reasonable, having regard to the amount payable to Crown witnesses (regulation 3).