
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 263

**The Criminal Legal Aid (Fixed Payments)
(Scotland) Amendment (No. 3) Regulations 2004**

Amendment of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999

3. In regulation 4–

(a) for paragraph (3) substitute–

“(3) Except where proceedings have been brought under section 185 of the 1995 Act, for the purposes of the reference to summary proceedings in paragraph (1) above the following are to be treated as a single matter–

- (a) a single summary complaint or complaints which arise out of the same incident; and
- (b) proceedings under sections 27(1)(a) and 28 of the 1995 Act (breach of bail conditions) arising out of the complaint or complaints referred to in subparagraph (a).”;

(b) for paragraph (7) substitute–

“(7) Where the Board grants an application for a change of solicitor under regulation 17(3) of the Criminal Legal Aid (Scotland) Regulations 1996(1) there shall be paid to each of the solicitors who act for the assisted person in the relevant proceedings–

- (a) an equal part of the total amount payable under paragraph 1 of Part 1 of Schedule 1; and
- (b) the amounts payable under paragraphs 2 to 13 of Part 1 of Schedule 1 shall be payable to the solicitor who carries out the work described in those paragraphs.”.