
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 312

**The Criminal Legal Assistance (Fees)
(No. 2) (Scotland) Regulations 2010**

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

4. In regulation 4 of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999⁽¹⁾ (fixed payments allowable to solicitors)—

(a) in paragraph (6A)(a)—

(i) for “7(5)(a)(ii)” substitute “7(5)(a)(ii)(aa)”; and

(ii) for “at a police station” substitute “while the assisted person is being detained under section 14(1) of the 1995 Act or is otherwise at a police station for the purposes of questioning”; and

(b) after paragraph (6B) insert—

“(6BA) Paragraphs (6A) and (6B) do not apply—

(a) if the time spent by solicitor A at the police station or other place of detention, together with the time spent reasonably and proportionately (as compared to the time involved in the attendance) travelling to and from that place, exceeds 2 hours;

(b) to the extent that the advice and assistance was provided, and any relative travel was undertaken, between 2200 hours and 0700 hours.”.

⁽¹⁾ S.I. 1999/491; amended by S.I. 1999/1820 and S.S.I. 1998/48, 2001/307, 2002/247 and 442, 2003/249, 2004/51, 126 and 263, 2005/93, 2006/234, 2008/240 and 2010/237, 267 and 270.