

SCHEDULE

CONSEQUENTIAL AMENDMENTS

The Civil Legal Aid (Scotland) Regulations 2002

4.—(1) The Civil Legal Aid (Scotland) Regulations 2002⁽¹⁾ are amended as follows.

(2) In regulation 46 (applications under the European Judgments Convention)⁽²⁾—

(a) after paragraph (1)(c) insert—

“(d) application for legal aid is made in relation to proceedings in respect of which the sheriff court has jurisdiction, or an appeal in respect of which the Inner House of the Court of Session has jurisdiction, by, or on behalf of, a person who has made an application to the Scottish Ministers under Chapter III of the Hague Convention and the person—

(i) is entitled to free legal assistance by virtue of Article 15(1) of that Convention; or

(ii) has, in a State bound by the Hague Convention other than an EU Member State, benefitted from free legal assistance and is entitled to free legal assistance by virtue of Article 17(b) of that Convention”;

(b) in paragraph (3) after “paragraph (1)(c)(i)” insert “or (d)(i)”; and

(c) after paragraph (4) insert—

“(5) In paragraph (1)(d), “the Hague Convention” means the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007.”.

(1) [S.S.I. 2002/494](#).

(2) Regulation 46 has been amended by [S.I 2011/1484](#) and [S.S.I. 2011/161](#).