
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 30

The Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) Regulations 2022

Amendments to the Advice and Assistance (Scotland) Regulations 1996

6.—(1) Schedule 3 (table of fees allowable to solicitors) of the Advice and Assistance (Scotland) Regulations 1996(1) is amended as follows.

(2) In Part 1 (table of fees allowable to solicitors for assistance by way of representation)—

(a) in paragraph 1, for the table of fees substitute the table of fees in schedule 12 of these Regulations,

(b) in paragraph 2 (interpretation), after the entry relating to a “page” insert—

““court holiday” means a day prescribed as such (including an additional court holiday) in accordance with section 8(2) of the Criminal Procedure (Scotland) Act 1995;

“holiday court sitting” means a sitting of a sheriff court on a court holiday, a Saturday or a Sunday by virtue of an order under section 28 or 29 of the Courts Reform (Scotland) Act 2014(2).”.

(c) in paragraph 3 (petition by debtor for sequestration)(3)—

(i) in sub-paragraph (a), for “£35.86” substitute “£37.66”, and

(ii) in sub-paragraph (b), for “£58.90” substitute “£61.85”.

(3) In paragraph 1 of Part 2 (table of fees allowed to solicitors for advice and assistance other than assistance by way of representation), for the table of fees substitute the table of fees in schedule 13 of these Regulations.

(4) In Part 3 (table of fees allowed to solicitors for assistance by way of representation for proceedings under sections 19, 30 and 36(1)(a) of the Criminal Justice (Scotland) Act 2016), for the table of fees substitute the table of fees in schedule 14 of these Regulations.

(5) In Part 4 (table of fees allowed to solicitors for advice and assistance in relation to sections 32 and 44 of the Criminal Justice (Scotland) Act 2016)(4)—

(a) in paragraph 3 (standard rate) for “£81.12” substitute “£85.18”,

(b) in paragraph 3 (higher rate) for “£107.89” substitute “£113.29”,

(c) in paragraph 4(a) (standard rate) for “£124.38” substitute “£130.60”,

(d) in paragraph 4(a) (higher rate) for “£165.42” substitute “£173.70”,

(e) in paragraph 4(b)(i) (standard rate) for “£216.30” substitute “£227.12”,

(f) in paragraph 4(b)(i) (higher rate) for “£287.68” substitute “£302.07”,

(1) S.I. 1996/2447; relevant amending instruments are S.I. 1997/726, S.S.I. 2004/262, S.S.I. 2005/171, S.S.I. 2006/233, S.S.I. 2008/240, S.S.I. 2010/312, S.S.I. 2011/41, S.S.I. 2013/144, S.S.I. 2013/250, S.S.I. 2014/257, S.S.I. 2017/466, S.S.I. 2019/78, S.S.I. 2020/191, S.S.I. 2021/55 and S.S.I. 2021/56.

(2) 2014 asp 18.

(3) Figures in paragraph 3 substituted by S.S.I. 2021/56.

(4) Figures in Part 4 substituted by S.S.I. 2021/56.

- (g) in paragraph 4(b)(ii) (standard rate) for “£54.08” substitute “£56.79”,
 - (h) in paragraph 4(b)(ii) (higher rate) for “£71.93” substitute “£75.53”,
 - (i) in paragraph 5 (standard rate) for “£32.45” substitute “£34.08”,
 - (j) in paragraph 5 (higher rate) for “£43.16” substitute “£45.32”,
 - (k) in paragraph 6 for “£12.55” in each place where it appears substitute “£13.18”,
 - (l) in paragraph 6 for “£16.70” in each place where it appears substitute “£17.54”.
- (6) In Part 5 (table of fees allowable to solicitors for assistance by way of representation for proceedings under schedule 8 of the Terrorism Act 2000)(5)—
- (a) for “£54.08” in each place where it appears substitute “£56.79”,
 - (b) for “£81.12” in both places where it appears substitute “£85.18”,
 - (c) for “£6.28” in both places where it appears substitute “£6.60”.
- (7) In Part 6 (table of fees allowable to solicitors for advice and assistance in relation to section 41 and schedule 7 of the Terrorism Act 2000 and Part 1 of schedule 3 of the Counter-Terrorism and Border Security Act 2019)(6)—
- (a) in paragraph 3(a) (standard rate) for “£124.38” substitute “£130.60”,
 - (b) in paragraph 3(a) (higher rate) for “£165.42” substitute “£173.70”,
 - (c) in paragraph 3(b)(i) (standard rate) for “£216.30” substitute “£227.12”,
 - (d) in paragraph 3(b)(i) (higher rate) for “£287.68” substitute “£302.07”,
 - (e) in paragraph 3(b)(ii) (standard rate) for “£54.08” substitute “£56.79”,
 - (f) in paragraph 3(b)(ii) (higher rate) for “£71.93” substitute “£75.53”
 - (g) in paragraph 4 (standard rate) for “£32.45” substitute “£34.08”,
 - (h) in paragraph 4 (higher rate) for “£43.16” substitute “£45.32”,
 - (i) in paragraph 5(a) (standard rate) for “£12.55” substitute “£13.18”,
 - (j) in paragraph 5(a) (higher rate) for “£16.70” substitute “£17.54”,
 - (k) in paragraph 5(b) (standard rate) for “£12.55” substitute “£13.18”,
 - (l) in paragraph 5(b) (higher rate) for “£16.70” substitute “£17.54”.

(5) Part V inserted by [S.S.I. 2021/55](#) and amended by [S.S.I. 2021/56](#).

(6) Part VI inserted by [S.S.I. 2021/55](#) and amended by [S.S.I. 2021/56](#).