
STATUTORY INSTRUMENTS

1987 No. 381

The Civil Legal Aid (Scotland) Regulations 1987

Part VIII

Particular Courts, Tribunals and Proceedings

Applications under the European Judgments Convention

47.—(1) This regulation applies where—

- (a) application is made for legal aid for the purpose of applying to the Court of Session in accordance with section 4 of the Civil Jurisdiction and Judgments Act 1982⁽¹⁾ for the registration for enforcement of a judgment other than a maintenance order; and
- (b) where application for legal aid is made by or on behalf of a person who wishes to enforce a maintenance order in Scotland —
 - (i) for the purpose of an application to the sheriff court in accordance with section 5 of the Civil Jurisdiction and Judgments Act 1982; or
 - (ii) for the purpose of any proceedings following on such an application.

(2) Where this regulation applies—

- (a) sections 15 and 17 of the Act shall not apply, legal aid shall be made available without enquiry into the resources of the applicant and without requiring him to contribute to the Fund and no payment shall be due to the Fund out of any property recovered or preserved for him;
- (b) regulation 5 above shall not apply, but the application for legal aid shall be signed by the applicant or his solicitor, and shall be accompanied by a memorandum signed by the solicitor explaining the nature of the application and the applicant's interest therein.