
STATUTORY INSTRUMENTS

1993 No. 969 (S.131)

LEGAL AID AND ADVICE, SCOTLAND

**The Legal Aid (Scotland) Act 1986
Amendment Regulations 1993**

Made - - - - *31st March 1993*
Coming into force - - *1st April 1993*

The Secretary of State, in exercise of the powers conferred on him by section 13(4) and section 37(1) of the Legal Aid (Scotland) Act 1986((1)), and of all other powers enabling him in that behalf, hereby makes the following Regulations of which a draft has, in accordance with section 37(2) of that Act, been laid before, and approved by resolution of, each House of Parliament:

Citation and commencement

1. These Regulations may be cited as the Legal Aid (Scotland) Act 1986 Amendment Regulations 1993 and shall come into force on 1st April 1993.

Excepted proceedings from civil legal aid

2. For paragraph 3 of Part II (Excepted Proceedings) of Schedule 2 to the Legal Aid (Scotland) Act 1986((2)) there shall be substituted the following:—

“3. Civil legal aid shall not be available in relation to—

- (a) election petitions under the Representation of the People Act 1983((3));
- (b) simplified divorce applications under the Rules of Procedure of the Court of Session or the sheriff court;
- (c) small claims processes at first instance under section 35(2) of the Sheriff Courts (Scotland) Act 1971((4)) (summary causes); and
- (d) petitions by a debtor for the sequestration of his estate under section 5(2)(a) of the Bankruptcy (Scotland) Act 1985((5)).”

(1) 1986 c. 47.

(2) Paragraph 3 of Part II of Schedule 1 to the 1986 Act was amended by S.I.1988/2289.

(3) 1983 c. 2.

(4) 1971 c. 58; section 35(2) was substituted by section 18(1) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73).

(5) Section 5(2)(a) amended by section 3(2) of the Bankruptcy (Scotland) Act 1993 (c. 6).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St. Andrew's House,
Edinburgh
31st March 1993

Fraser of Carmyllie
Minister of State, Scottish Office

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations add petitions by a debtor for the sequestration of his estate under the Bankruptcy (Scotland) Act 1985 as amended by the Bankruptcy (Scotland) Act 1993 to the Excepted Proceedings for which Civil Legal Aid is not available.