
STATUTORY INSTRUMENTS

1997 No. 719 (S.62)

LEGAL AID AND ADVICE, SCOTLAND

**The Criminal Legal Aid (Scotland)
(Fees) Amendment Regulations 1997**

<i>Made</i>	- - - -	<i>7th March 1997</i>
<i>Laid before Parliament</i>		<i>11th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Secretary of State, in exercise of the powers conferred on him by sections 33(2)(a), (3)(a), (b) and (f) and 36(1) of the Legal Aid (Scotland) Act 1986⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1. These Regulations may be cited as the Criminal Legal Aid (Scotland) (Fees) Amendment Regulations 1997 and shall come into force on 1st April 1997.

Interpretation

2. In these Regulations “the principal Regulations” means the Criminal Legal Aid (Scotland) (Fees) Regulations 1989⁽²⁾.

Application

3. These Regulations shall apply only to outlays incurred and fees for work done on or after 1st April 1997.

Amendment of the principal Regulations

4. In regulation 8 of the principal Regulations—
- (a) in paragraph (1) after the word “outlays” where it first appears there shall be inserted the words “, due regard being had to economy”;
 - (b) in paragraph (2) the word “professional” shall be omitted.

(1) 1986 c. 47.

(2) S.I. 1989/1491, amended by S.I. 1990/474 and 1035, 1991/566, 1992/374 and 1994/1019.

Status: This is the original version (as it was originally made).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

5. For paragraphs 5 and 6 of Schedule 1 to the principal Regulations (description of work and fees for calculating remuneration of solicitors in the High, sheriff and district courts)(3) there shall be substituted the following paragraphs:-

“5.	Where a document is copied and it is necessary to take a copy of more than 20 sheets (whether 20 of 1 sheet, 5 of 4 sheets or whatever), for each sheet copied a fee of	£0.08;
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Interpretation

6. In this Schedule-

- “court” means the High Court, the sheriff court or the district court as the case may be;
- a “sheet” shall consist of 250 words or numbers; and
- a “page” shall consist of 125 words or numbers.”.

St Andrew’s House,
Edinburgh
7th March 1997

James Douglas-Hamilton
Minister of State, Scottish Office

(3) The fees in Schedule 1 were last substituted by regulation 3 of and Schedule 2 to [S.I. 1992/374](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Legal Aid (Scotland) (Fees) Regulations 1989 (“the principal Regulations”).

The Regulations—

- (a) amend regulation 8(1) of the principal Regulations so as to provide that the outlays which a solicitor is allowed are subject to the requirement to have due regard to economy (regulation 4(a));
- (b) amend regulation 8(2) of the principal Regulations so as to provide that a solicitor shall be allowed, as an outlay, VAT charged by any person giving evidence of fact or expert evidence (regulation 4(b)). The previous provision in regulation 8(2) only allowed a solicitor, as an outlay, VAT charged by a professional person;
- (c) substitute new paragraphs 5 and 6 in Schedule 1 to the principal Regulations so as to reduce the fees allowed to solicitors for copying and simplify the drafting of those paragraphs. The new paragraphs provide that, where a document is copied and it is necessary to take a copy of more than 20 sheets, for each sheet copied the fee is £0.08 (regulation 5). The previous paragraphs provided that a fee of 35 pence would be paid for each sheet where an exceptional amount of copying proved necessary (exceptional being defined as meaning the production of more than 20 output copy sheets when a document has been copied).

By virtue of regulation 3, the Regulations apply only to outlays incurred and fees for work done on or after 1st April 1997.