
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.