
STATUTORY INSTRUMENTS

1998 No. 969 (S.52)

LEGAL AID AND ADVICE, SCOTLAND

The Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 1998

Made - - - - *2nd April 1998*
Coming into force - - *6th April 1998*

The Secretary of State, in exercise of the powers conferred on him by section 21(2) of the Legal Aid (Scotland) Act 1986⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations a draft of which has, in accordance with section 37(2) of that Act, been laid before, and approved by resolution of, each House of Parliament:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Amendment Regulations 1998 and shall come into force on 6th April 1998.

(2) In these Regulations, “the principal Regulations” means the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1997⁽²⁾.

Amendment of principal Regulations

2. In regulation 3 (proceedings in which criminal legal aid shall not be available) of the principal Regulations, at the end of paragraph (j), the full stop shall be deleted and there shall be inserted—

“.

(k) under section 234A(6)⁽³⁾ of the 1995 Act in relation to revocation or variation of a non-harassment order.”.

⁽¹⁾ 1986 c. 47.

⁽²⁾ S.I.1997/3069.

⁽³⁾ Section 234A(6) was inserted by the Protection from Harassment Act 1997 (c. 40).

Status: This is the original version (as it was originally made).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
2nd April 1998

Henry McLeish
Minister of State Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1997 and provide that criminal legal aid shall not be available for proceedings under section 234A(6) of the Criminal Procedure (Scotland) Act 1995. Assistance by Way of Representation under Part II of the Legal Aid (Scotland) Act 1986 is made available in relation to these prescribed proceedings by regulation 3 of the [Advice and Assistance \(Assistance by Way of Representation\) \(Scotland\) Amendment Regulations 1998 \(S.I. 1998/ 972\)](#).