



Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

PART 4

LEGAL AID

70 Further provision in relation to the Fund: advice and assistance

(1) In section 4 of the 1986 Act (Scottish Legal Aid Fund) in subsection (2), after paragraph (b) insert—

“(ba) any sums as are, by virtue of section 12C of this Act, due out of the Fund;”.

(2) After section 12B of that Act (inserted by section 67 of this Act) insert—

“Advice and assistance: further provision in relation to the Fund

12C Further provision in relation to the Fund: advice and assistance

(1) This section applies where, in respect of any matter in connection with which advice and assistance has been provided, the sums mentioned in section 4(3) (aa), (ca) and (cb) which are payable into the Fund have been so paid.

(2) There shall be paid out of the Fund any sum which, in the opinion of the Board the party concerned would have been likely to receive, after the operation of section 12(3), if the advice and assistance provided had not been provided—

(a) by virtue of a grant made under section 4A; or

(b) by a solicitor in the course of employment to which Part V of this Act applies.”.