



Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

PART 4

LEGAL AID

71 Availability of civil legal aid for defamation or verbal injury

- (1) The 1986 Act is amended as follows.
- (2) In section 14 (availability of civil legal aid), after subsection (1B) insert—
 - “(1C) In the case of proceedings described in paragraph 1 of Part II of Schedule 2 to this Act, civil legal aid shall be available to a person only if, in addition to the requirements which have to be met under subsection (1) and section 15 of this Act and subject to paragraph 2 of Part II of Schedule 2, such criteria as may be set out by the Scottish Ministers in directions given to the Board are met.
 - (1D) A direction given under subsection (1C) may—
 - (a) include criteria in respect of which the Board may require to satisfy itself;
 - (b) make different provision for different purposes;
 - (c) be varied or revoked at any time.
 - (1E) Where the Scottish Ministers give a direction under subsection (1C)—
 - (a) the Board must comply with it;
 - (b) the Scottish Ministers must arrange for the direction to be published in such manner as they consider appropriate.”
- (3) In Part II of Schedule 2 (excepted proceedings)—
 - (a) in paragraph 1, after “to” insert “ section 14(1C) and ”;
 - (b) in paragraph 2, the words “, and legal” to the end are repealed.

Changes to legislation:

Legal Profession and Legal Aid (Scotland) Act 2007, Section 71 is up to date with all changes known to be in force on or before 22 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 2(6)(ba) inserted by [2010 asp 16 s. 118\(4\)](#)