



# Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010

2010 asp 15

## *Legal assistance*

### **2 Criminal advice and assistance: automatic availability in certain circumstances**

- (1) The Legal Aid (Scotland) Act 1986 (c.47) is amended as follows.
- (2) In section 8 (availability of advice and assistance), after “to” in the first place where it occurs insert “ any provision made in regulations under section 8A(1) and ”.
- (3) After section 8, insert—

#### **“8A Criminal advice and assistance: automatic availability in certain circumstances**

- (1) The Scottish Ministers may by regulations provide that, in such circumstances as may be prescribed in the regulations, advice and assistance in relation to criminal matters is to be available for any relevant client without reference to the financial limits in section 8.
- (2) In subsection (1), “relevant client” means a client who is a person to whom section 15A of the Criminal Procedure (Scotland) Act 1995 (right of suspects to have access to a solicitor) applies.”.
- (4) In section 37(2) (parliamentary procedure), after “7,” insert “ 8A(1), ”.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010, Section 2.