
STATUTORY INSTRUMENTS

1997 No. 3069

**The Criminal Legal Aid (Scotland)
(Prescribed Proceedings) Regulations 1997**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1997 and shall come into force on 1st January 1998.

(2) In these Regulations, unless the context otherwise requires, “the 1995 Act” means the Criminal Procedure (Scotland) Act 1995(1).

Revocation

2. The Regulations specified in the Schedule to these Regulations are hereby revoked.

Proceedings in which criminal legal aid shall not be available

3. Criminal legal aid shall not be available in connection with proceedings—
- (a) under section 42 of the Road Traffic Offenders Act 1988(2) for the removal of a disqualification;
 - (b) under section 232 of the 1995 Act in relation to failure to comply with the requirements of a probation order;
 - (c) under section 233 of the 1995 Act in relation to the conviction of a probationer by a court in Great Britain of an offence committed during his probation period;
 - (d) under section 239(4) to (6) of the 1995 Act in relation to failure to comply with the requirements of a community service order;
 - (e) under section 240(1) and (3) of the 1995 Act in relation to amendment or revocation of a community service order;
 - (f) under paragraph 4 of Schedule 7 to the 1995 Act in relation to failure to comply with the requirements of a supervised attendance order;
 - (g) under paragraph 5(1) and (3) of Schedule 7 to the 1995 Act in relation to amendment or revocation of a supervised attendance order;
 - (h) under section 5(4) of the Proceeds of Crime (Scotland) Act 1995(3) in relation to an appeal against a court decision under section 5(3);
 - (i) under section 6(4) of the Proceeds of Crime (Scotland) Act 1995 in relation to an appeal against a court decision under section 6(3); and
 - (j) under section 27 of the Proceeds of Crime (Scotland) Act 1995 in relation to an appeal against a court decision under section 25(1) or 26(1).

(1) 1995 c. 46.

(2) 1988 c. 53; section 42 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 98.

(3) 1995 c. 43.

Status: This is the original version (as it was originally made).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
23rd December 1997

Henry McLeish
Minister of State, Scottish Office