
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments and revoke the Criminal Legal Aid (Scotland) (Prescribed Proceedings) Regulations 1994 and subsequent amending instruments.

The main amendments provide:–

- (a) that criminal legal aid shall not be available for certain proceedings under the Criminal Procedure (Scotland) Act 1995 (regulation 3(e) and regulation 3(g));
- (b) that criminal legal aid shall not be available for certain proceedings under the Proceeds of Crime (Scotland) Act 1995 (regulations 3(h) and 3(i)).

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 4(2)(d) and 4(2)(f) and regulation 5(2)(b) and 5(2)(g) of the Advice and Assistance (Assistance by way of Representation) (Scotland) Regulations 1997 (S.I. [1997/3070](#)).

The opportunity has also been taken to make minor and drafting amendments.