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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 92**

**LEGAL AID AND ADVICE**

**The Criminal Legal Aid (Fixed Payments)  
(Scotland) Amendment Regulations 2013**

<i>Made</i>	- - - -	<i>7th March 2013</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>11th March 2013</i>
<i>Coming into force</i>	- -	<i>26th April 2013</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 33(3AA), (3AB), (3C), (3D), (3F) to (3J) and 36(1) and (2)(a) and (e) of the Legal Aid (Scotland) Act 1986(1) and all other powers enabling them to do so.

**Citation and Commencement**

1. These Regulations may be cited as the Criminal Legal Aid (Fixed Payments) (Scotland) Amendment Regulations 2013 and come into force on 26th April 2013.

**Amendment of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999**

2.—(1) Regulation 4A of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999(2) is amended as follows.

(2) In paragraph (1)—

(a) after “relevant criminal legal aid” insert “or relevant ABWOR”; and

(b) for “in Schedule 1” insert “(as the case may be) in Schedule 1 or Schedule 1B”.

(3) In paragraph (5), after “relevant criminal legal aid” where it each time appears insert “or relevant ABWOR”.

(4) After paragraph (9) insert—

“(10) Where the Board has granted an application for change of solicitor under regulation 14A(2) of the Advice and Assistance (Scotland) Regulations 1996(3), any

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(1) 1986 c.47; section 33(3AA), (3AB), (3AC), (3C), (3D), (3E) and (3F) to (3J) were inserted by the Convention Rights (Compliance) (Scotland) Act 2001 (asp 7), section 7. Section 33(3AC) and (3E) contain definitions relevant for the purpose of section 33(3AA), (3AB), (3C) and (3D). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (c.46), section 53.

(2) S.I. 1999/491; relevant amending instruments are S.S.I. 2002/247 and 2011/161.

(3) S.I. 1996/2447; relevant amending instrument is S.S.I. 2008/240.