SCOTTISH STATUTORY INSTRUMENTS

2005 No.165

LEGAL AID AND ADVICE

The Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2005

Made - - - - 17th March 2005

Coming into force in accordance with regulation 2

The Scottish Ministers, in exercise of the powers conferred by section 9 of the Legal Aid (Scotland) Act 1986(**1**), and of all other powers enabling them in that behalf, hereby make the following Regulations, a draft of which has, in accordance with section 37(2) of that Act, been laid before and approved by resolution of the Scottish Parliament:

Citation and commencement

1. These Regulations may be cited as the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2005.

2. Regulations 4 and 5 shall come into force on 4th April 2005 and all other regulations shall come into force on 1st April 2005.

Amendment of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003

3. The Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003(**2**) are amended in accordance with the following regulations.

4. In regulation 1(2) (interpretation) omit–

(a) from "adjudicator" where it occurs in the first instance to "the Asylum and Immigration Act 1996(**3**)";

(b) the definition of "the 1999 Act(**4**)"; and

(c) the definition of "Immigration Appeal Tribunal".

5. In regulation 3 for paragraph (l) substitute–

(**1**) 1986 c. 47; section 9(2)(dd) and (de) was inserted by the Access to Justice Act 1999 (c. 22), section 32. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(**2**) S.S.I. 2003/179, amended by S.S.I. 2003/500 and S.S.I. 2004/307.
(**3**) 1996 c. 49.
(**4**) The Immigration and Asylum Act 1999 c. 33.