SCOTTISH STATUTORY INSTRUMENTS

2005 No. 93

LEGAL AID AND ADVICE

The Criminal Legal Aid (Fixed Payments) (Scotland) Amendment Regulations 2005

Made - - - -	*1st March 2005*
Laid before the Scottish Parliament - - - -	*1st March 2005*
Coming into force - -	*23rd March 2005*

The Scottish Ministers, in exercise of the powers conferred by sections 33 and 41A of the Legal Aid (Scotland) Act 1986(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Criminal Legal Aid (Fixed Payments) (Scotland) Amendment Regulations 2005 and shall come into force on 23rd March 2005.

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

2. The Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999(**2**) are amended in accordance with the following Regulations.

3. In regulation 2 (interpretation) in paragraph (1) after the definition of "the 1995 Act" insert–

""adjourned trial diet" means a diet that follows a trial that has commenced by the leading of evidence;".

4. In Part 1 of Schedule 1, after paragraph 4 insert–

"**4A.** Conducting an adjourned trial diet, during	£25	£50	£50

(**1**) 1986 c. 47. Sections 33(3A) and 41A were inserted by the Crime and Punishment (Scotland) Act 1997 (c. 48), sections 51 and 54 respectively. Section 33(3C) to (3K) and section 33(3AA) to (3AC) were inserted by the Convention Rights (Compliance) (Scotland) Act 2001 (asp 7), sections 7 and 8 respectively. 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.I.1999/491, as amended by S.I. 1999/1820 and S.S.I. 1999/48, 2001/307, 2002/247 and 442, 2003/249 and 2004/51, 126 and 263.