SCOTTISH STATUTORY INSTRUMENTS

2003 No. 421

LEGAL AID AND ADVICE

The Advice and Assistance (Scotland) Amendment (No. 2) Regulations 2003

Made - - - -	*9th September 2003*
Laid before the Scottish Parliament - - - -	*10th September 2003*
Coming into force - -	*1st October 2003*

The Scottish Ministers in exercise of the powers conferred by sections 12(3), 36(1) and (2)(d) and 42 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 Advice and Assistance (Scotland) Amendment (No. 2) Regulations 2003 and shall come into force on 1st October 2003.

Application

2. These Regulations shall apply only in relation to any case where an application for advice and assistance is made on or after 1st October 2003.

Amendment of the Advice and Assistance (Scotland) Regulations 1996

3. The Advice and Assistance (Scotland) Regulations 1996(**2**) are amended in accordance with the following regulations.

4. In regulation 2(1), at the end insert–

> ""legal representative" means a judicial factor or a person authorised to act on an adult's behalf under the Adults With Incapacity (Scotland) Act 2000(**3**).".

5. For regulation 6(1), substitute–

(**1**) 1986 c. 47. 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.1996/2447, as amended by S.I. 1997/726, 1998/724, and S.S.I. 2000/181 and 399, 2002/495, and 2003/163.
(**3**) 2000 asp 4.