SCOTTISH STATUTORY INSTRUMENTS

2002 No. 37

LEGAL AID AND ADVICE

The Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2002

Made - - - -	*4th February 2002*
Coming into force - -	*6th February 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 9(1), (2)(a), (dd) and (de) and 37(1) 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 2002 and shall come into force on 6th February 2002.

Amendment of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 1997

2. The Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 1997(**2**) shall be amended in accordance with the following regulations.

3. In regulation 3 (application of Part II of the Act to assistance by way of representation: miscellaneous proceedings)–

(a) after paragraph (b) there is inserted–

"(bb) proceedings under section 17 of the Matrimonial Homes (Family Protection) (Scotland) Act 1981(**3**);"; and

(b) after paragraph (n) there is inserted–

(**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.I.1997/3070, amended by S.I. 1998/972 and 1999/214 and S.S.I. 2000/109, 2001/2, 43 and 382.
(**3**) 1981 c. 59; section 17 was amended by the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40), Schedule 4, paragraph 37.