SCOTTISH STATUTORY INSTRUMENTS

2001 No. 392

LEGAL AID AND ADVICE

The Legal Aid (Employment of Solicitors) (Scotland) Regulations 2001

Made - - - -	*23rd October 2001*
Laid before the Scottish Parliament - - - -	*24th October 2001*
Coming into force - -	*19th November 2001*

The Scottish Ministers, in exercise of the powers conferred by sections 26(1), 27(1) 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:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Legal Aid (Employment of Solicitors) (Scotland) Regulations 2001 and shall come into force on 19th November 2001.

(2) In these Regulations, "the Act" means the Legal Aid (Scotland) Act 1986.

Arrangements for employment of solicitors

2. The Board may employ solicitors in accordance with sections 26 to 28 of the Act on such terms and conditions as it may consider appropriate in accordance with the following regulations.

3.—(1) The Board may employ a solicitor for the purposes of providing any such services as are mentioned in section 26(2) of the Act, but shall not do so unless–

(a) it has received a written request from a local organisation for the services of a solicitor employed by the Board; and

(b) it is satisfied having regard to the arrangements proposed by the organisation that the services of such a solicitor for any of those purposes would enhance the services offered by the organisation to applicants.

(2) A solicitor who is employed by the Board in terms of paragraph (1) may also do anything specified in paragraphs (a) and (b) of section 26(1) of the Act.

(**1**) 1986 c. 47; section 26 was amended by the Convention Rights (Compliance) (Scotland) Act 2001 (asp 7), section 9(6). 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).