SCOTTISH STATUTORY INSTRUMENTS

2001 No. 382

LEGAL AID AND ADVICE

The Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment (No. 3) Regulations 2001

Made - - - -	*11th October 2001*
Coming into force - -	*15th October 2001*

The Scottish Ministers, in exercise of the powers conferred by sections 9(1) and (2)(a) 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 (No. 3) Regulations 2001 and shall come into force on the day after the day on which they are made.

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. At the end of regulation 3 (application of Part II of the Act to assistance by way of representation: miscellaneous proceedings) there shall be added–

"(n) proceedings before a hearing established under–

(i) paragraph 12 or paragraph 59 of the Schedule to the Convention Rights (Compliance) (Scotland) Act 2001(**3**); or

(ii) section 10(2F) of the Prisoners and Criminal Proceedings (Scotland) Act 1993(**4**).".

(**1**) 1986 c. 47. The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).
(**2**) S.I.1997/3070, as amended by S.I. 1998/972 and 1999/214 and S.S.I. 2000/109, 2001/2 and 43.
(**3**) 2001 asp 7.
(**4**) 1993 c. 9. Section 10(2F) was inserted by section 3(1)(b) of the Convention Rights (Compliance) (Scotland) Act 2001.