SCOTTISH STATUTORY INSTRUMENTS

2000 No. 109

LEGAL AID AND ADVICE

The Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2000

Made - - - -	*7th April 2000*
Coming into force - -	*10th April 2000*

The Scottish Ministers, in exercise of the powers conferred on them 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2000 and shall come into force on 10th April 2000.

(2) In these Regulations–

"the principal Regulations" means the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 1997(**2**).

Amendment of principal Regulations

2. In regulation 1(2) of the principal Regulations (interpretation)–

(a) after the definition of "the Act", there shall be inserted the following:–

""adjudicator" means an adjudicator appointed by virtue of Schedule 3 to the 1999 Act(**3**) and includes–

(a) an adjudicator who acts as a special adjudicator for the purposes of section 8 of the Asylum and Immigration Appeals Act 1993(**4**); and

(**1**) 1986 c. 47; subsections (2)(dd) and (2)(de) were 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, as amended by S.I. 1998/972 and S.I. 1999/214.
(**3**) By virtue of article 3 of S.I. 2000/168, "adjudicator" and the "Immigration Appeal Tribunal" for the purposes of the Immigration and Asylum Act 1999 (c. 33) are to be treated as the adjudicators and the Immigration Appeal Tribunal for the purposes of the previous Immigration Acts as defined in that article.
(**4**) 1993 c. 23; section 8 was amended by the Asylum and Immigration Act 1996 (c. 49), Schedule 3, paragraph 2.