SCOTTISH STATUTORY INSTRUMENTS

1999 No. 48

LEGAL AID AND ADVICE

The Criminal Legal Aid (Fixed Payments) (Scotland) Amendment Regulations 1999

Made - - - -	*7th September 1999*
Laid before the Scottish Parliament - - - -	*9th September 1999*
Coming into force - -	*1st October 1999*

The Scottish Ministers, in exercise of the powers conferred on them by sections 33 and 41A of the Legal Aid (Scotland) Act 1986(**1**), and 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 Criminal Legal Aid (Fixed Payments) (Scotland) Amendment Regulations 1999 and shall come into force on 1st October 1999.

(2) In these Regulations, "the principal Regulations" means the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999(**2**).

Amendment of principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following paragraphs.

(2) In regulation 2 (interpretation)–

(a) in paragraph (1)–

(i) after the definition of "assisted person" there is inserted–

""diet of deferred sentence" includes those diets where the case has been adjourned for inquiries or reports under sections 201 (power of court to adjourn case before sentence) and 203 (reports) respectively of the 1995 Act;"; and

(ii) in sub-paragraph (g), for "177" there is substituted "234"(**3**); and

(**1**) 1986 c. 47; sections 33(3A) and 41A were inserted by the Crime and Punishment (Scotland) Act 1997 (c. 48), sections 51 and 54 respectively. 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.1999/491, amended by S.I.1999/1820, Schedule 2, paragraph 168.

(**3**) Article 177 was renumbered as article 234 by the Treaty signed at Amsterdam on 2nd October 1997 amending the Treaty on European Union, the Treaty establishing the European Communities and certain related Acts O.J. No. C340, 10.11.97, p.1.