



# Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

2013 asp 3

## PART 2

### CRIMINAL LEGAL ASSISTANCE

#### *Contributions for appeals where appellant deceased*

#### **21 Contributions for appeals where appellant deceased**

In section 25AA of the 1986 Act (legal aid in respect of appeals under section 303A of the Criminal Procedure (Scotland) Act 1995), after subsection (4) insert—

- “(5) Where legal aid is being made available to an authorised person under this section (in either of the circumstances described in subsection (2) or (3)), the Board may require the payment of a contribution in respect of the expenses of the criminal legal aid of such amount as the Board may determine.
- (6) The Board may require the contribution to be paid from the estate of the deceased person or by the authorised person.
- (7) The amount determined by the Board under subsection (5) must not exceed the whole expenses of the criminal legal aid provided.
- (8) The Board must take into account any contribution made by the deceased person prior to death in assessing the amount of contribution payable.
- (9) It is for the Board to collect any contribution payable under subsection (5).”