



Children (Scotland) Act 2020

2020 asp 16

Vulnerable witnesses and parties

- 7 Register of solicitors for section 22B of the Vulnerable Witnesses (Scotland) Act 2004**
- (1) The Scottish Ministers must—
- (a) establish, and
 - (b) (subject to provision made under subsection (2)(c)) maintain, a register of solicitors who may be appointed by a court under section 22B(6) of the Vulnerable Witnesses (Scotland) Act 2004.
- (2) The Scottish Ministers, by regulations—
- (a) must—
 - (i) specify the requirements that a person must satisfy in order to be included, and remain, on the register (which may include requirements as to training and qualifications),
 - (ii) set out the processes for including a person on, and removing a person from, the register (including appeal rights),
 - (b) may provide for the remuneration by the Scottish Ministers of solicitors appointed under section 22B(6) of the Vulnerable Witnesses (Scotland) Act 2004, including expenses and outlays (such as counsel's fees),
 - (c) may—
 - (i) confer the duty of maintaining the register on a person, and
 - (ii) make such modifications to other enactments as the Scottish Ministers consider appropriate for the purposes of, or in connection with, or for giving full effect to provision made by virtue of sub-paragraph (i).
- (3) Before making regulations under subsection (2), the Scottish Ministers must consult—
- (a) the Faculty of Advocates, and
 - (b) the Law Society of Scotland.
- (4) Regulations under subsection (2)—
- (a) are subject to the affirmative procedure if, by virtue of paragraph (c)(ii) of that subsection, they add to, replace or omit any part of the text of an Act, but
 - (b) otherwise are subject to the negative procedure.