Draft Legislation: This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, The Courts Reform (Scotland) Act 2014 (Relevant Officer and Consequential Provisions) Order 2016 ISBN 978-0-11-103328-9

SCHEDULE 3

Sheriff Appeal Court: General amendments

PART 1

Modification of primary legislation

Legal Aid (Scotland) Act 1986

- 1.—(1) The Legal Aid (Scotland) Act 1986 is amended as follows.
- (2) In section 28D (availability of children's legal aid: child)(1)—
 - (a) in subsection (1), for "sheriff principal" substitute "Sheriff Appeal Court"; and
 - (b) in subsection (4), for "sheriff principal" substitute "Sheriff Appeal Court".
- (3) In section 28E (availability of children's legal aid: relevant person)(2)—
 - (a) in subsection (1)(b), for "sheriff principal" substitute "Sheriff Appeal Court"; and
 - (b) in subsection (4), for "sheriff principal" substitute "Sheriff Appeal Court".
- (4) In section 28F(1) (availability of children's legal aid: appeals relating to deemed relevant person)(3)—
 - (a) in paragraph (d), for "sheriff principal" substitute "Sheriff Appeal Court"; and
 - (b) in paragraph (e)—
 - (i) for "sheriff principal" substitute "Sheriff Appeal Court"; and
 - (ii) for "sheriff principal's" substitute "Sheriff Appeal Court's".
- (5) In section 28LA (power of Scottish Ministers to provide for children's legal aid to be available to other persons in relation to court proceedings)(4)—
 - (a) in subsection (3)(d), for "sheriff principal" substitute "Sheriff Appeal Court"; and
 - (b) in subsection (5)(c), for "sheriff principal" substitute "Sheriff Appeal Court".

⁽¹⁾ Section 28D was inserted by section 191 of the Children's Hearings (Scotland) Act 2011 (asp 1; "the 2011 Act").

⁽²⁾ Section 28E was inserted by section 191 of the 2011 Act.

⁽³⁾ Section 28F was inserted by section 191 of the 2011 Act and amended by paragraph 3(2) of schedule 5 of the Children and Young People (Scotland) Act 2014 (asp 8).

⁽⁴⁾ Section 28LA was inserted by section 92 of the Children and Young People (Scotland) Act 2014.