

Draft Regulations laid before the Scottish Parliament under section 37(2) of the Legal Aid (Scotland) Act 1986, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

LEGAL AID AND ADVICE

**The Advice and Assistance (Proceedings for
Recovery of Documents) (Scotland) Regulations 2017**

<i>Made</i>	- - - -	2017
<i>Coming into force</i>	- -	2017

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 9, 33(2)(b) and (3) and 41A of the Legal Aid (Scotland) Act 1986(1) and all other powers enabling them to do so.

In accordance with section 37(2) of that Act(2) a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament(3).

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- (1) 1986 c.47. Section 9 was amended by the Access to Justice Act 1999 (c.22), section 32 and the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 (asp 3), sections 18(1) and 23(5). Section 33(2) was amended by the Legal Profession and Legal Aid (Scotland) Act 2007 (asp 5), section 67(7)(b). Section 41A was inserted by the Crime and Punishment (Scotland) Act 1997 (c.48), section 54. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (c.46), section 53.
- (2) There are amendments to section 37(2) which are not relevant to these Regulations. Section 37(2) has been modified by paragraph 5 of schedule 3 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) (the “2010 Act”).
- (3) The powers to make these Regulations are exercised together by virtue of section 33(2) of the 2010 Act. The Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.