
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

**The Criminal Legal Assistance (Miscellaneous
Amendments) (Scotland) Regulations 2017**

Amendment of the Criminal Legal Assistance (Duty Solicitors) (Scotland) Regulations 2011

9. For regulation 3 of the Criminal Legal Assistance (Duty Solicitors) (Scotland) Regulations 2011(1) (duty solicitors: advice for suspect) substitute—

“**3.** In the circumstances where the Board has arranged, in accordance with section 31(8) of the Act, that a solicitor is to be available for the purpose of providing advice and assistance to any person to whom section 32 (right to have a solicitor present) of the Criminal Justice (Scotland) Act 2016 applies—

- (a) section 31(1) of the Act does not apply; and
- (b) the advice and assistance referred to must only be provided by the solicitor so made available.”.