
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Legal Aid (Scotland) Regulations 2002 so as to provide the following:–

- (a) that the Scottish Legal Aid Board may request directly from any applicant or assisted person, or a solicitor or counsel acting on behalf of an assisted person, any information, financial or otherwise, relating to a change in circumstances. If such request is not complied with the Board may suspend or withdraw legal aid, and further may recover any funds paid to the assisted person (regulations 3 and 4); and
- (b) to implement Council Directive [2003/8/EC](#) (O.J. No. L 26, 31.1.2003, p.41) (“the Council Directive”), as corrected by a corrigendum published on 7th February 2003 (O.J. No. L 32, 7.2.2003, p.15). The Council Directive establishes common rules for legal aid in relation to cross-border disputes. These Regulations disapply certain of the regulations in the Civil Legal Aid (Scotland) Regulations 2002 where a person is applying for legal aid for the purposes of pursuing a cross-border dispute defined in the Council Directive (regulation 5).

Changes to legislation:

There are currently no known outstanding effects for the The Civil Legal Aid (Scotland) Amendment (No. 2) Regulations 2004.