

SCOTTISH STATUTORY INSTRUMENTS

2011 No. 163

The Criminal Legal Assistance (Duty Solicitors) (Scotland) Regulations 2011

Duty solicitors: advice for suspects

[^{F1}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 [^{F2}, paragraph 16(6) of schedule 8 of the Terrorism Act 2000 (entitlement to consult a solicitor), ^{F3}... paragraph 37(6) of schedule 3 of the Counter-Terrorism and Border Security Act 2019 (entitlement to consult a solicitor)][^{F4}, or paragraph 15(6) of schedule 6 of the National Security Act 2023 (entitlement to consult a solicitor)] 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.]

Textual Amendments

- F1** Reg. 3 substituted (25.1.2018) by [The Criminal Legal Assistance \(Miscellaneous Amendments\) \(Scotland\) Regulations 2017 \(S.S.I. 2017/466\)](#), regs. 1, **9**
- F2** Words in reg. 3 inserted (17.2.2021) by [The Criminal Legal Aid and Advice and Assistance \(Counter-Terrorism and Border Security\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/55\)](#), regs. 1, **5**
- F3** Word in reg. 3 omitted (15.11.2023) by virtue of [The Legal Aid and Advice and Assistance \(Miscellaneous Amendment\) \(Scotland\) \(No. 4\) Regulations 2023 \(S.S.I. 2023/313\)](#), regs. 1, **9(a)**
- F4** Words in reg. 3 inserted (15.11.2023) by [The Legal Aid and Advice and Assistance \(Miscellaneous Amendment\) \(Scotland\) \(No. 4\) Regulations 2023 \(S.S.I. 2023/313\)](#), regs. 1, **9(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Legal Assistance (Duty Solicitors) (Scotland) Regulations 2011, Section 3.