
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 368

The Children’s Legal Assistance (Miscellaneous Amendments and Consequential Provisions) (Scotland) Regulations 2021

Amendment of the Advice and Assistance (Scotland) Regulations 1996

5.—(1) The Advice and Assistance (Scotland) Regulations 1996⁽¹⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1) (interpretation)—

(a) for the definition of “child” substitute—

““child” means a person under the age of 16 years, except in relation to—

- (a) any hearings or proceedings under the 2011 Act, where “child” has the meaning in section 199 of that Act, or
- (b) proceedings under Chapter 3 of Part 4 of the Age of Criminal Responsibility (Scotland) Act 2019, where “child” has the meaning in section 39(3) of that Act.”.

(3) In paragraph 1 of the Table of Fees in Part 1 of schedule 3 (table of fees allowable to solicitors for assistance by way of representation)⁽²⁾ after “Children’s Hearings (Scotland) Act 2011” insert “or Part 4 of the Age of Criminal Responsibility (Scotland) Act 2019”.

(1) S.I. 1996/2447; relevant amending instruments are S.S.I. 2000/399, S.S.I. 2003/421, S.S.I. 2005/445, S.S.I. 2010/462 and S.S.I. 2013/200.

(2) Paragraph 1 was amended by S.S.I. 2005/171, S.S.I. 2008/240, S.S.I. 2011/162, S.S.I. 2013/144, S.S.I. 2014/366, S.S.I. 2017/466, S.S.I. 2019/78 and S.S.I. 2021/56.