



# Legal Aid (Scotland) Act 1986

## 1986 CHAPTER 47

### PART IV

#### CRIMINAL LEGAL AID

VALID FROM 25/11/2010

#### **[<sup>F1</sup>23A Legal aid in solemn proceedings**

- (1) Criminal legal aid shall be available on an application made to the Board, where a person is being prosecuted under solemn procedure, if the Board is satisfied after consideration of the person's financial circumstances that the expenses of the case cannot be met without undue hardship to the person or the person's dependants.
- (2) Legal aid made available to a person under subsection (1) may be subject to such conditions as the Board considers expedient; and such conditions may be imposed at any time.
- (3) The Board may require a person receiving legal aid under subsection (1) to comply with such conditions as it considers expedient to enable it to satisfy itself from time to time that it is reasonable for him to continue to receive criminal legal aid.
- (4) The Board shall establish a procedure under which any person whose application for legal aid under subsection (1) has been refused may apply to the Board for a review of the application.
- (5) The Board shall establish a procedure under which any person receiving criminal legal aid under subsection (1) which is subject to conditions by virtue of subsection (2) may apply to the Board for a review of any such condition.]

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*Status: Point in time view as at 05/10/2007. This version of this provision is not valid for this point in time.*

*Changes to legislation: Legal Aid (Scotland) Act 1986, Section 23A is up to date with all changes known to be in force on or before 13 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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#### **Textual Amendments**

- F1** S. 23A inserted (25.11.2010) by [Legal Profession and Legal Aid \(Scotland\) Act 2007 \(asp 5\)](#), [ss. 64\(4\)](#), [82\(2\)](#) (with [s. 77](#)); [S.S.I. 2010/376](#), [art. 2](#)

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