

## 1975 No. 835 (S. 142)

## LEGAL AID AND ADVICE, SCOTLAND

**Act of Adjournal (Rules for Legal Aid in  
Criminal Proceedings Amendment) 1975***Made* - - - - - 9th May 1975*Coming into Operation* 16th May 1975

The Lord Justice General, Lord Justice Clerk and Lords Commissioners of Justiciary, by virtue of the powers conferred on them by section 16 of the Legal Aid (Scotland) Act 1967(a) and of all other powers competent to them in that behalf, do hereby enact as follows:—

1. This Act of Adjournal may be cited as the Act of Adjournal (Rules for Legal Aid in Criminal Proceedings Amendment) 1975 and shall come into operation on 16th May 1975.

2. The Act of Adjournal (Rules for Legal Aid in Criminal Proceedings) 1964(b) shall be amended as follows:—

“1. By deleting from lines 4, 5 and 6 of paragraph 1(2) thereof the words:—

“the Act” means the Legal Aid (Scotland) Act 1949 as amended by the Legal Aid Act 1960 and the Criminal Justice (Scotland) Act 1963” and by substituting therefor:—“the Act” means the Legal Aid (Scotland) Act 1967 as amended”.

2. By deleting from lines 11 and 12 of paragraph 1(2) thereof the words:—“or in a juvenile court constituted in pursuance of section 51 of the Children and Young Persons (Scotland) Act 1937” and by substituting therefor:—“or in a district court”.

3. By deleting from line 18 of paragraph 1(2) thereof in the definition of “the Regulations” the figures “1964” and by substituting therefor “1975”.

4. By deleting from line 20 of paragraph 1(2) thereof in the definition of “the Scheme” the figures “1964” and by substituting therefor “1975”.

5. In paragraphs 2(a), 3, 4(1), 5, 6(2), 8(1) and 10(1) thereof all references to “section 2(2)(a)” or “section 2(2)(b)” or “section 2(2)” shall be deleted and there shall be substituted therefor respectively references to “section 2(5)(a)” or “section 2(5)(b)” or “section 2(5)”.

6. By deleting from line 2 of paragraph 2(b)(ii) thereof the reference to “section 1(6A)(i)(b)” and by substituting therefor “section 1(7)(a)(ii)”.

7. By deleting from line 2 of paragraph 3(2) thereof the words:—“a specially constituted juvenile court” and by substituting therefor “the district court”.

(a) 1967 c. 43.

(b) S.I. 1964/1409 (1964 III, p. 1409).

8. By deleting from line 3 and 4 of paragraph 5(6) thereof the words “and shall send a copy of this certificate to the accused person”.

9. By deleting from line 5 of paragraph 8(1) thereof the words:—“sheriff court for the district” and by substituting therefor “court”.

10. By deleting from line 7 of paragraph 8(1) and from line 2 of paragraph 8(2) thereof the word “sheriff”.

11. By deleting from line 3 of paragraph 10(1)(e) thereof the reference to “section 2(1A)” and by substituting therefor “section 2(2)”.

12. By deleting from lines 7 and 8 of paragraph 10(3)(a) thereof the reference to “section 1(6A)(ii)” and by substituting therefor “section 1(7)(b)”.

13. By deleting paragraph 14.

And the Lords appoint this Act of Adjournal to be recorded in the Books of Adjournal, and to be published in the Edinburgh Gazette.

(Sgd.) *G. C. Emslie*, I.P.D.

Edinburgh,  
9th May 1975.

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#### EXPLANATORY NOTE

*(This Note is not part of the Act of Adjournal.)*

This Act of Adjournal amends the Act of Adjournal (Rules for Legal Aid in Criminal Proceedings) 1964 inter alia so as to take account of the availability of legal aid in connection with proceedings in the district courts.

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