
STATUTORY INSTRUMENTS

1993 No. 973 (S.135)

LEGAL AID AND ADVICE, SCOTLAND

**The Advice and Assistance (Scotland)
(Prospective Cost) Amendment Regulations 1993**

Made - - - - - *31st March 1993*
Coming into force - - - - - *1st April 1993*

The Secretary of State, in exercise of the powers conferred on him by sections 9(1) and (2)(e) and 37(1) of the Legal Aid (Scotland) Act 1986⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations of which a draft has, in accordance with section 37(2) of that Act, been laid before, and approved by a resolution of, each House of Parliament:

Citation and commencement

1. These Regulations may be cited as the Advice and Assistance (Scotland) (Prospective Cost) Amendment Regulations 1993 and shall come into force on 1st April 1993.

Amendment

2. For sub-paragraph (a) of regulation 2(2) of the Advice and Assistance (Scotland) (Prospective Cost) (No. 3) Regulations 1988⁽²⁾, there shall be substituted the following sub-paragraph:—

- “(a) assistance by way of representation—
- (i) when a second or subsequent diet has been ordered by the court; or
 - (ii) in relation to a petition by a debtor for the sequestration of his estate under section 5(2)(a) of the Bankruptcy (Scotland) Act 1985⁽³⁾; or”.

St. Andrew’s House,
Edinburgh
31st March 1993

Fraser of Carmyllie
Minister of State, Scottish Office

(1) 1986 c. 47.
(2) S.I.1988/2288, to which there are amendments not relevant to these Regulations.
(3) 1985 c. 66; section 5(2)(a) of the 1985 Act was amended by section 3(2) of the Bankruptcy (Scotland) Act 1993 (c. 6).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend The Advice and Assistance (Scotland) (Prospective Cost) (No. 3) Regulations 1988 by adding to the class of case for which assistance by way of representation may be provided by a solicitor up to the limit of £150 without obtaining the prior approval of the Scottish Legal Aid Board, the case where assistance by way of representation is provided in relation to a petition by a debtor for the sequestration of his estate under section 5(2)(a) of the Bankruptcy (Scotland) Act 1985, as amended by the Bankruptcy (Scotland) Act 1993.