
STATUTORY INSTRUMENTS

1997 No. 3070

The Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 1997

Application of Part II of the Act to assistance by way of representation: miscellaneous proceedings

3. Part II of the Act shall apply to assistance by way of representation in relation to—
- (a) summary criminal proceedings;
 - (b) petitions for the appointment of an executor to a deceased person under the Act of Sederunt (Confirmation of Executors) 1964(1);
 - (c) proceedings under Part V of the Mental Health (Scotland) Act 1984(2);
 - (d) petitions by a debtor for the sequestration of his estate under section 5(2)(a) of the Bankruptcy (Scotland) Act 1985(3);
 - (e) disciplinary proceedings before a governor in relation to a prisoner, where the prisoner has been permitted by the governor to be legally represented;
 - (f) proceedings in Parole Board cases;
 - (g) applications under section 42 of the Road Traffic Offenders Act 1988(4) for the removal of a disqualification;
 - (h) proceedings under section 66(6) of the Criminal Justice and Public Order Act 1994(5) for the return of sound equipment;
 - (i) civil proceedings arising from a failure by a person to—
 - (i) pay a fine or other sum; or
 - (ii) obey an order of the court; and
 - (j) applications, by someone other than the accused, under section 31(6) of the Criminal Law (Consolidation) (Scotland) Act 1995(6).

(1) 1964/1143.

(2) 1984 c. 36.

(3) 1985 c. 66; section 5(2) of the 1985 Act was substituted by section 3(2) of the Bankruptcy (Scotland) Act 1993 (c. 6).

(4) 1988 c. 53; section 42 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 98.

(5) 1994 c. 33.

(6) 1995 c. 39.