STATUTORY INSTRUMENTS

1988 No. 2014 (S.193)

LEGAL AID AND ADVICE, SCOTLAND

The Advice and Assistance (Scotland) (Prospective Cost) (No.2) Regulations 1988

Made - - - -	*17th November 1988*
Laid before Parliament	*23rd November 1988*
Coming into force	*17th December 1988*

The Secretary of State, in exercise of the powers conferred on him by section 36(1) of the Legal Aid (Scotland) Act 1986(**a**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Advice and Assistance (Scotland) (Prospective Cost) (No.2) Regulations 1988 and shall come into force on 17th December 1988.

2.—(1) Where a solicitor continues, in terms of regulation 2(2) of the Advice and Assistance (Scotland) (Prospective Cost) (No.3) Regulations 1988(**b**), to provide assistance by way of representation or advice and assistance the cost of which exceeds £60, he shall notify the Board within 14 days of that limit being exceeded.

(2) Failure so to notify shall, unless the Board considers that there is special reason for it to excuse such failure, render that part of the solicitor's account in excess of £60 ineligible for payment.

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

St. Andrew's House, Edinburgh
17th November 1988

(**a**) 1986 c.47.
(**b**) S.I. 1988/

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Advice and Assistance (Scotland) (Prospective Cost) (No. 3) Regulations 1988 provide that in certain specified cases solicitors may, without obtaining the prior approval of the Scottish Legal Aid Board, exceed the limit of £60 prescribed for legal advice and assistance and assistance by way of representation. These Regulations provide that, when that limit is thus exceeded, the solicitor must notify the Board within 14 days. Failure so to notify shall render that part of the solicitor's account in excess of £60 ineligible for payment, unless the Board considers that there is special reason for it to excuse such failure.

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