Justice Committee

1st Report, 2012 (Session 4)

Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2012

Published by the Scottish Parliament on 22 February 2012
Justice Committee

Remit and membership

Remit:

To consider and report on:

a) the administration of criminal and civil justice, community safety and other matters falling within the responsibility of the Cabinet Secretary for Justice; and

b) the functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland.

Membership:

Roderick Campbell
John Finnie
Christine Grahame (Convener)
Colin Keir
Jenny Marra (Deputy Convener)
Alison McInnes
David McLetchie
Graeme Pearson
Humza Yousaf

Committee Clerking Team:

Peter McGrath
Joanne Clinton
Andrew Proudfoot
Christine Lambourne
The Scottish Parliament
Pàrlamaid na h-Alba

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Advice and Assistance (Assistance by Way of Representation) (Scotland)
Amendment Regulations 2012

The Committee reports to the Parliament as follows—

1. The draft Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2012 were laid on 22 December 2011 and referred to the Justice Committee as lead committee.

The draft instrument
2. The draft Regulations amend the Advice and Assistance (Assistance by Way of Representation (Scotland) Regulations 2003 to make assistance by way of representation available for proceedings under the Double Jeopardy (Scotland) Act 2011.

Scrutiny by the Subordinate Legislation Committee
3. The Subordinate Legislation Committee considered the draft Regulations on 24 January 2012 and agreed that no points arose (5th Report, 2012).¹

Scrutiny by the Justice Committee
4. The draft Regulations were considered by the Justice Committee on 21 February 2012.² After giving a brief explanation of the instrument, the Cabinet Secretary for Justice moved motion S4M-1901.³ The motion was agreed to without debate or dissent.

5. Accordingly, the Justice Committee recommends to the Parliament that it approve the draft instrument.

³ S4M-1901—That the Justice Committee recommends that the Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulation 2012 [draft] be approved.
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