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**Changes to legislation:** Equality Act 2006, Cross Heading: Legal Aid (Scotland) Act 1986 (c. 47) is up to date with all changes known to be in force on or before 28 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 3

#### AMENDMENTS CONSEQUENTIAL ON PART 1

##### *Legal Aid (Scotland) Act 1986 (c. 47)*

- 39 (1) The Legal Aid (Scotland) Act 1986 shall be amended as follows.
- (2) In section 4(2) (sums which may be paid out of the Scottish Legal Aid Fund), after paragraph (ab) insert—
- “(ac) any sums payable by the Board under section 17(2D) of this Act;”.
- (3) In section 17 (contributions and payments out of property recovered), after subsection (2B) insert—
- “(2C) Subsection (2D) below applies where, after applying sums paid to the Board under subsection (2A) above in respect of the expenses of any party in any proceedings—
- (a) there is a surplus in the Fund on the account of the party; and
- (b) the party received, in respect of the same proceedings, assistance from the Commission for Equality and Human Rights under section 28 of the Equality Act 2006 (power of the Commission to provide legal assistance).
- (2D) The Board shall apply the surplus to pay to the Commission any sums due to it under section 29(2) of that Act (Commission's entitlement to recover expenses incurred in providing assistance) in respect of the assistance provided by it to the party.”

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(8) inserted by [2023 c. 51 s. 4\(2\)](#)
- s. 24A(1)(aa) inserted by [2023 c. 51 s. 4\(3\)](#)