

2011 No. 86

SHERIFF COURT

**Act of Sederunt (Fees of Solicitors in the Sheriff Court)
(Amendment) 2011**

Made - - - - - *9th February 2011*

Laid before the Scottish Parliament *11th February 2011*

Coming into force - - - *1st April 2011*

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 40 of the Sheriff Courts (Scotland) Act 1907(a) and of all other powers enabling them in that behalf, do hereby enact and declare:

Citation, commencement and interpretation

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment) 2011 and comes into force on 1st April 2011.

(2) A certified copy of this Act of Sederunt is to be inserted in the Books of Sederunt.

(3) In this Act of Sederunt—

“the 1993 Act of Sederunt” means the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993(b); and

“the Table of Fees” means the Table of Fees set out in Schedule 1 to the 1993 Act of Sederunt.

Amendment of Table of Fees

2.—(1) The Table of Fees is amended in accordance with the following subparagraphs.

(2) In paragraph 16 of Part II of Chapter II (procedure preliminary to proof)—

(a) after subparagraph (a) insert—

“ (aa) For each day or part day after the first, including instruction of counsel £ 106.50 ”

(b) subparagraph (c) is omitted;

(c) the heading of paragraph 16 becomes “Preparation for proof”.

(3) In Part IIA of Chapter II (defended personal injuries actions)—

(a) in paragraph 15 (amendment of record) after subparagraph (a)(i) insert—

(a) 1907 c. 51. Section 40 was amended by Schedule 1 to the Sheriff Courts (Scotland) Act 1913 (c.28); section 1(3) of the Secretaries of State Act 1926 (c.18); the Schedule to the Administration of Justice (Scotland) Act 1933 (c.41); and Schedule 1, paragraph 7 and Schedule 2 to the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c.12).

(b) S.I. 1993/3080, last amended by S.S.I. 2009/321.

“		£
(ia)	Fee for perusal of answers	50.70 ”
(b)	in paragraph 19 (procedure preliminary to proof)—	
(i)	after subparagraph (a) insert—	
“		£
(aa)	For each day or part day after the first, including instruction of counsel	106.50 ”
(ii)	subparagraph (c) is omitted;	
(iii)	the heading of paragraph 19 becomes “Preparation for proof”.	

Saving

3. Paragraph 2 does not affect fees chargeable for work done, or outlays incurred, before 1st April 2011.

A.C. HAMILTON
Lord President
I.P.D.

Edinburgh
9th February 2011

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt makes amendments to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993 (S.I. 1993/3080).

Paragraph 2 amends the Table of Fees set out in the Schedule to the 1993 Act of Sederunt. The Table of Fees was last amended by the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment No. 2) 2009 (S.S.I. 2009/321).

The Act of Sederunt does not apply as respect fees chargeable for work done, or outlays incurred, before it comes into force.

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