

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2019 No. 79**

**SHERIFF COURT**

**The Sheriff Court Simple Procedure (Limits on Award of Expenses) Amendment Order 2019**

*Made* - - - - - *5th March 2019*  
*Coming into force* - - - - - *1st April 2019*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 81 of the Courts Reform (Scotland) Act 2014<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 133(2)(a) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. This Order may be cited as the Sheriff Court Simple Procedure (Limits on Award of Expenses) Amendment Order 2019 and comes into force on 1 April 2019.

**Amendment of the Sheriff Court Simple Procedure (Limits on Award of Expenses) Order 2016**

2.—(1) The Sheriff Court Simple Procedure (Limits on Award of Expenses) Order 2016<sup>(2)</sup> is amended in accordance with paragraphs (2) and (3).

(2) In article 2 (category of simple procedure cases in which no award of expenses may be made) for “£200” substitute “£300”.

(3) In article 3 (categories of simple procedure cases in which expenses awarded may not exceed prescribed sum) for “£200” substitute “£300”.

**Saving provision**

3. The amendments made by article 2 have no effect in relation to any simple procedure case commenced before 1 April 2019.

---

(1) [2014 asp 18](#). Section 81 was relevantly amended by Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018, section 12(2).  
(2) [S.S.I. 2016/388](#).

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

St Andrew's House, Edinburgh  
5th March 2019

*ASH DENHAM*  
Authorised to sign by the Scottish Ministers

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Sheriff Court Simple Procedure (Limits on Award of Expenses) Order 2016 (“the 2016 Order”). Simple procedure was established by Chapter 1 of Part 3 of the Courts Reform (Scotland) Act 2014.

The 2016 Order provides that expenses are not awardable where the value of a claim does not exceed £200. Article 2(2) amends that value from £200 to £300.

The 2016 Order provides that, where the value of a claim is between £200 and £1,500, the maximum sum awardable as expenses is £150. Article 2(3) amends the lower value of the claim from £200 to £300.

Article 3 provides that the amendments made by this Order do not affect any simple procedure case which was commenced prior to 1 April 2019.