



Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

2013 asp 3

PART 1

SCOTTISH CIVIL JUSTICE COUNCIL

General

14 Dissolution of existing rules councils

- (1) The Court of Session Rules Council established under section 18 of the Administration of Justice (Scotland) Act 1933 (c. 41) (and continued under section 8 of the Court of Session Act 1988 (c. 36)) is dissolved.
- (2) Section 8 of the Court of Session Act 1988 is repealed.
- (3) The Sheriff Court Rules Council is dissolved.
- (4) Sections 33 and 34 of the Sheriff Courts (Scotland) Act 1971 (c. 58) are repealed.

Annotations:

Commencement Information

- II** S. 14 in force at 28.5.2013 by [S.S.I. 2013/124](#), [art. 2](#) (with [art. 3](#))

15 Modification of enactments

- (1) In section 38(3) of the Legal Aid (Scotland) Act 1986 (c. 47) (rules of court), after “consult” insert “ the Scottish Civil Justice Council, ”.
- (2) In section 32(3) of the Sheriff Courts (Scotland) Act 1971 (c. 58) (power of Court of Session to regulate civil procedure in sheriff court), for “Sheriff Court Rules Council under section 34 of this Act” substitute “ Scottish Civil Justice Council ”.

Changes to legislation: *Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Cross Heading: General is up to date with all changes known to be in force on or before 17 February 2018. 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)*

- (3) In section 62 of the Judiciary and Courts (Scotland) Act 2008 (asp 6) (administrative support for other persons), in subsection (1)—
- (a) after paragraph (d) insert—
- “(ea) the Scottish Civil Justice Council,”, and
- (b) paragraphs (e) and (g) are repealed.

Annotations:

Commencement Information

I2 S. 15 in force at 28.5.2013 by [S.S.I. 2013/124](#), **art. 2** (with **art. 3**)

16 Interpretation of Part 1

In this Part—

“advocate” means a member of the Faculty of Advocates,

“draft civil procedure rules” has the meaning given in section 2(4),

[^{F1}draft fees rules” has the meaning given in section 2(6A),]

[^{F2} “ draft inquiry procedure rules ” has the meaning given in section 2(6B),]

“solicitor” means a person qualified to practise as solicitor under section 4 of the Solicitors (Scotland) Act 1980 (c. 46),

“the Chief Executive of the Scottish Court Service” means the chief executive appointed under paragraph 14(1) of schedule 3 to the Judiciary and Courts (Scotland) Act 2008 (asp 6),

“the Lord Justice Clerk” means the Lord Justice Clerk of the Court of Session,

“the Lord President” means the Lord President of the Court of Session,

“the principal officer of the Scottish Legal Aid Board” means the principal officer appointed under paragraph 7(1) of Schedule 1 to the Legal Aid (Scotland) Act 1986 (c. 47).

Annotations:

Amendments (Textual)

F1 Words in s. 16 inserted (1.4.2016) by [The Courts Reform \(Scotland\) Act 2014 \(Consequential Provisions\) Order 2016 \(S.S.I. 2016/142\)](#), arts. 1, 3

F2 Words in s. 16 inserted (15.1.2016) by [Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(asp 2\)](#), s. 42(1), **Sch. 1 para. 1(5)**

Commencement Information

I3 S. 16 in force at 28.5.2013 by [S.S.I. 2013/124](#), **art. 2** (with **art. 3**)

Changes to legislation:

Scottish Civil Justice Council and Criminal Legal Assistance Act 2013, Cross Heading: General is up to date with all changes known to be in force on or before 17 February 2018. 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.

Changes and effects yet to be applied to :

- specified provisions amendment to earlier commencing SSI 2013/271 art. 2 by [S.S.I. 2013/271 art. 2](#)

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. 2(1)(c)(ii) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(b\)\(ii\)](#)
- s. 2(1)(ba) inserted by [2014 asp 10 sch. 9 para. 13\(2\)\(a\)](#)
- s. 2(3)(ca) inserted by [2014 asp 10 sch. 9 para. 13\(3\)](#)
- s. 2(7) inserted by [2014 asp 10 sch. 9 para. 13\(4\)](#)
- s. 6(1)(aa) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(b\)](#)
- s. 6(1)(ea) inserted by [2014 asp 10 sch. 9 para. 13\(6\)\(c\)](#)
- s. 8(3A) inserted by [2014 asp 10 sch. 9 para. 13\(7\)\(b\)](#)
- s. 13A and cross-heading inserted by [2014 asp 10 sch. 9 para. 13\(9\)](#)
- s. 16(1) s. 16 renumbered as s. 16(1) by [2014 asp 10 sch. 9 para. 13\(10\)\(a\)](#)
- s. 16(1) words inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(b\)](#)
- s. 16(2) inserted by [2014 asp 10 sch. 9 para. 13\(10\)\(c\)](#)