



Courts Reform (Scotland) Act 2014

2014 asp 18

PART 4

PROCEDURE AND FEES

Fees of solicitors etc.

105 Power to regulate fees in the Court of Session

- (1) The Court of Session may, in relation to any proceedings in the Court (including any execution or diligence following such proceedings), by act of sederunt make provision for or about the fees of—
 - (a) solicitors,
 - (b) messengers-at-arms,
 - (c) persons acting under the Execution of Diligence (Scotland) Act 1926,
 - (d) witnesses,
 - (e) shorthand writers,
 - (f) such other persons, or persons of such descriptions, as the Scottish Ministers may by order specify.
- (2) An act of sederunt under subsection (1) may not make any provision for or about the fees that the Scottish Ministers may regulate under or by virtue of section 33 of the Legal Aid (Scotland) Act 1986 (fees and outlays of solicitors and counsel).
- (3) An act of sederunt under subsection (1) and an order under subsection (1)(f) may make—
 - (a) incidental, supplemental, consequential, transitional, transitory or saving provision,
 - (b) different provision for different purposes.
- (4) Before making an order under subsection (1)(f), the Scottish Ministers must consult the Lord President of the Court of Session.
- (5) An act of sederunt under subsection (1) is subject to the negative procedure.

106 Power to regulate fees in the sheriff court and the Sheriff Appeal Court

- (1) The Court of Session may, in relation to civil proceedings in the sheriff court or the Sheriff Appeal Court (including any execution or diligence following such proceedings), by act of sederunt make provision for or about the fees of—
 - (a) solicitors,
 - (b) sheriff officers,
 - (c) persons acting under the Execution of Diligence (Scotland) Act 1926,
 - (d) witnesses,
 - (e) shorthand writers,
 - (f) such other persons, or persons of such descriptions, as the Scottish Ministers may by order specify.
- (2) An act of sederunt under subsection (1) may not make any provision for or about the fees that the Scottish Ministers may regulate under or by virtue of section 33 of the Legal Aid (Scotland) Act 1986 (fees and outlays of solicitors and counsel).
- (3) An act of sederunt under subsection (1) may make—
 - (a) incidental, supplemental, consequential, transitional, transitory or saving provision,
 - (b) different provision for different purposes.
- (4) Before making an order under subsection (1)(f), the Scottish Ministers must consult the Lord President of the Court of Session.
- (5) An act of sederunt under subsection (1) is subject to the negative procedure.