



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 3

#### CIVIL PROCEDURE

#### CHAPTER 4

##### LAY REPRESENTATION FOR NON-NATURAL PERSONS

#### 95 Key defined terms

- (1) This section applies for the purposes of the interpretation of this Chapter.
- (2) “Non-natural person” means—
  - (a) a company (whether incorporated in the United Kingdom or elsewhere),
  - (b) a limited liability partnership,
  - (c) any other partnership,
  - (d) an unincorporated association of persons.
- (3) “Lay representative” means an individual who is not a legal representative.
- (4) “Legal representative” means—
  - (a) a solicitor,
  - (b) an advocate, or
  - (c) a person having a right to conduct litigation, or a right of audience, by virtue of section 27 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.
- (5) An individual holds a relevant position with a non-natural person if the individual—
  - (a) in the case of a company, is a director or secretary of the company,
  - (b) in the case of a limited liability partnership, is a member of the partnership,
  - (c) in the case of any other partnership, is a partner in the partnership,
  - (d) in the case of an unincorporated association, is a member or office holder of the association.

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**Changes to legislation:** *Courts Reform (Scotland) Act 2014, Section 95 is up to date with all changes known to be in force on or before 25 May 2023. 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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- (6) For the purposes of section 96, an individual also holds a relevant position with a non-natural person if the individual is an employee of the non-natural person.
- (7) References to conducting proceedings are references to exercising, in relation to the proceedings, a function or right (including a right of audience) that a legal representative could exercise in the proceedings.

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**Commencement Information**

**II** [S. 95](#) in force at 28.11.2016 by [S.S.I. 2016/291](#), art. 2, [sch.](#)

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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):

- sch. 1 para. 5A and cross-heading inserted by [2020 asp 9 s. 9](#)
- sch. 1 para. 2(g)(h) inserted by [2021 asp 16 s. 15\(8\)](#)