

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018, SCHEDULE is up to date with all changes known to be in force on or before 25 December 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)

PROSPECTIVE

SCHEDULE

(introduced by section 14)

AUDITORS OF COURT: MODIFICATION OF ENACTMENTS

Court of Session Act 1821

- 1 The Court of Session Act 1821 is repealed.

Courts of Law Fees (Scotland) Act 1895

- 2 (1) The Courts of Law Fees (Scotland) Act 1895 is amended in accordance with this paragraph.
- (2) In section 3 (taxation of accounts in High Court of Justiciary)—
- (a) the existing text becomes subsection (1),
 - (b) in that subsection—
 - (i) for “High Court of Justiciary”, in both places where it occurs, substitute “relevant court ”,
 - (ii) for “said High Court” substitute “relevant court ”,
 - (iii) for “auditor of the Court of Session” substitute “relevant auditor of court ”,
 - (iv) for “regulations” substitute “rules of court ”,
 - (v) for “actions in the Court of Session” substitute “relevant civil proceedings ”,
 - (c) after that subsection insert—
 - “(2) In subsection (1)—
 - “relevant court” means—
 - (a) the High Court of Justiciary, or
 - (b) the Sheriff Appeal Court, when exercising its jurisdiction in criminal proceedings,
 - “relevant auditor of court” means—
 - (a) where the relevant court is the High Court of Justiciary, the Auditor of the Court of Session,
 - (b) where the relevant court is the Sheriff Appeal Court, the auditor of the Sheriff Appeal Court,
 - “relevant civil proceedings” means—
 - (a) where the relevant court is the High Court of Justiciary, proceedings in the Court of Session,
 - (b) where the relevant court is the Sheriff Appeal Court, civil proceedings in that Court.”.
- (3) The title of section 3 becomes “ **Taxation of accounts in criminal proceedings** ”

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Administration of Justice (Scotland) Act 1933

- 3 The following provisions of the Administration of Justice (Scotland) Act 1933 are repealed—
- (a) section 25(2),
 - (b) section 26,
 - (c) section 27(1),
 - (d) section 28.

Solicitors (Scotland) Act 1980

- 4 In the Solicitors (Scotland) Act 1980, in section 51(3) (complaints to the Scottish Solicitors' Discipline Tribunal), after paragraph (c) insert—
- “(ca) the auditor of the Sheriff Appeal Court,”.

Law Reform (Miscellaneous Provisions) (Scotland) Act 1990

- 5 In the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, section 36(4) is repealed.

Legal Profession and Legal Aid (Scotland) Act 2007

- 6 In the Legal Profession and Legal Aid (Scotland) Act 2007, in section 2(2)(b) (receipt of complaints by Scottish Legal Complaints Commission: preliminary steps), after sub-paragraph (v) insert—
- “(va) the auditor of the Sheriff Appeal Court,”.

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Changes and effects yet to be applied to :

- Sch. para. 1 coming into force by [S.S.I. 2018/368 reg. 2\(o\)](#)
- Sch. para. 2 coming into force by [S.S.I. 2018/368 reg. 2\(o\)](#)
- Sch. para. 3 coming into force by [S.S.I. 2018/368 reg. 2\(o\)](#)
- Sch. para. 4 coming into force by [S.S.I. 2018/368 reg. 2\(o\)](#)
- Sch. para. 5 coming into force by [S.S.I. 2018/368 reg. 2\(o\)](#)
- Sch. para. 6 coming into force by [S.S.I. 2018/368 reg. 2\(o\)](#)