

2015 No. 398

SHERIFF APPEAL COURT

The Litigants in Person (Costs and Expenses) (Sheriff Appeal Court) Order 2015

Made - - - - - *19th November 2015*

Laid before the Scottish Parliament *20th November 2015*

Coming into force - - - *1st January 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 1(2)(c) of the Litigants in Person (Costs and Expenses) Act 1975(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Litigants in Person (Costs and Expenses) (Sheriff Appeal Court) Order 2015 and comes into force on 1st January 2016.

Specification of the Sheriff Appeal Court

2. The Sheriff Appeal Court is specified for the purposes of section 1(2)(c) of the Litigants in Person (Costs and Expenses) Act 1975 (costs or expenses recoverable).

PAUL WHEELHOUSE

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
19th November 2015

(a) 1975 c.47, as relevantly amended by paragraph 6 of Schedule 8 to the Tribunals, Courts and Enforcement Act 2007 (c.15) and paragraph 26 of Part 1 of Schedule 9 to the Constitutional Reform Act 2005 (c.4). Section 1(3) has been modified by paragraph 2 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). The functions of the Lord Advocate were transferred to the Secretary of State by virtue of S.I. 1999/678 and the functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the application of the Litigants in Person (Costs and Expenses) Act 1975 to civil proceedings in the Sheriff Appeal Court. The effect is to allow a party litigant in such proceedings, in whose favour an order for expenses has been made, to recover sums in respect of work done by the party litigant in connection with the proceedings, and expenses and losses incurred. These are the same items as a represented litigant can claim.

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£4.25

S201511195 11/2015 19585

<http://www.legislation.gov.uk/id/ssi/2015/398>

ISBN 978-0-11-102996-1



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