
EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt makes various changes to the provisions governing the taxation of accounts of expenses in the sheriff court and Sheriff Appeal Court, and to the rules regulating the fees of shorthand writers.

Paragraphs 2 and 4 amend the fees chargeable by shorthand writers in relation to proceedings in the Court of Session and civil proceedings in the sheriff court.

Paragraphs 3(2)(a) and (5) amend the Table of Fees for proceedings in the sheriff court, and the associated General Regulations, to make provision regarding the charges that can be recovered under a finding of expenses in a simple procedure case for work undertaken by the successful party's solicitor. The provisions apply subject to any applicable limit on expenses.

Paragraph 3(2)(b) amends the General Regulations that accompany the Table of Fees for proceedings in the sheriff court to allow an auditor to increase or reduce an inclusive fee specified in Chapter II of the Table (defended ordinary actions) in appropriate circumstances.

Paragraph 3(3) and (4) amend the Table of Fees for proceedings in the sheriff court by making provision for the pre-litigation fee that is payable under a finding of expenses where the claim was subject to the personal injury pre-action protocol.

Paragraph 5 makes minor amendments to the Table of Fees for proceedings in the Sheriff Appeal Court consequential on the introduction of the simple procedure.