
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 310

The Civil Legal Aid (Scotland) (Miscellaneous Amendments) Regulations 2017

Amendment of the Civil Legal Aid (Scotland) Fees Regulations 1989

- 2.—(1) The Civil Legal Aid (Scotland) (Fees) Regulations 1989⁽¹⁾ are amended as follows.
- (2) In regulation 2(1) (interpretation), in paragraph (a) of the definition of “auditor”, after “Lands Valuation Appeal Court” insert “, First-tier Tribunal for Scotland”⁽²⁾.
- (3) After regulation 5(1A) (fees and outlays allowable to solicitors) insert—
- “(1B) A solicitor’s fees in relation to proceedings in the First-tier Tribunal for Scotland shall be calculated in accordance with schedule 2A.”.
- (4) In regulation 10(1) (fees allowable to counsel), after “Sheriff Appeal Court” insert “, First-tier Tribunal for Scotland”.
- (5) In schedule 2A (fees allowable for simple procedure cases)—
- (a) in the heading of the schedule, after “cases” insert “and First-tier Tribunal for Scotland cases”;
- (b) in paragraph 5(a) of the Table of Fees, after “court” insert “or First-tier Tribunal for Scotland”.
- (6) In schedule 4 (fees of counsel for proceedings in the Court of Session, Sheriff Appeal Court, sheriff court and Upper Tribunal for Scotland)—
- (a) in the heading, after “sheriff court” insert “, First-tier Tribunal for Scotland”;
- (b) in paragraph 8—
- (i) after “petition”, insert “, application”;
- (ii) after “defences”, insert “, representations”;
- (c) in paragraph 13, after “sheriff court” insert “, First-tier Tribunal for Scotland”;
- (d) in Table of Fees B (fees of counsel for proceedings in the sheriff court, the Sheriff Appeal Court and Upper Tribunal for Scotland)—
- (i) in the heading, after “sheriff court” insert “, First-tier Tribunal for Scotland”;
- (ii) in paragraph 1 of Part 1, after “family action” insert “or applications to the First-tier Tribunal for Scotland”;
- (iii) in paragraph 2 of Part 1, after “family action” insert “or representations to the First-tier Tribunal for Scotland”.

(1) S.I. 1989/1490; relevant amending instruments are S.S.I. 1994/1015, S.S.I. 2002/496, S.S.I. 2003/178, S.S.I. 2004/281, S.S.I. 2007/14, S.S.I. 2007/181, S.S.I. 2009/203, S.S.I. 2009/312, S.S.I. 2011/160, S.S.I. 2013/144, S.S.I. 2015/380, S.S.I. 2016/257 and S.S.I. 2016/290.

(2) Part 1 of schedule 2 of the Legal Aid (Scotland) Act 1986 is amended by S.S.I. 2017/xx to include proceedings before the First-tier Tribunal for Scotland in the list of proceedings. The First-tier Tribunal for Scotland is established by section 1 of the Tribunals (Scotland) Act 2014 (asp 10).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
