
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 75

Act of Sederunt (Taxation of Judicial Expenses Rules) 2019

CHAPTER 5

**APPLICATIONS FOR ALLOWANCE OF AN ADDITIONAL FEE,
FOR SANCTION FOR THE EMPLOYMENT OF COUNSEL,
AND FOR CERTIFICATION OF SKILLED WITNESSES**

Certification of skilled persons

5.3.—(1) On the application of a party the court may certify a person as a skilled person for the purpose of rule 4.5 (skilled persons).

(2) The court may only grant such an application if satisfied that—

- (a) the person is a skilled person; and
- (b) it is, or was, reasonable and proportionate that the person should be employed.

(3) The refusal of an application under this rule does not preclude the making of a further application on a change of circumstances.

(4) Where the application is made in proceedings other than—

- (a) proceedings subject to Chapter 43 of the Rules of the Court of Session 1994;
- (b) proceedings subject to Chapter 36 of the Ordinary Cause Rules 1993; or
- (c) a simple procedure case,

paragraph (5) applies.

(5) Where this paragraph applies, the court may only determine that the certification has effect for the purposes of work already done by the person where the court is satisfied that the party applying has shown cause for not having applied for certification before the work was done.