
STATUTORY INSTRUMENTS

1997 No. 689 (S.49)

LEGAL AID AND ADVICE, SCOTLAND

**The Civil Legal Aid (Scotland)
(Fees) Amendment Regulations 1997**

<i>Made</i>	- - - -	<i>7th March 1997</i>
<i>Laid before Parliament</i>		<i>11th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Secretary of State, in exercise of the powers conferred on him by sections 33(2)(a) and (3)(b) and (f) of the Legal Aid (Scotland) Act 1986(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Civil Legal Aid (Scotland) (Fees) Amendment Regulations 1997 and shall come into force on 1st April 1997.

(2) In these Regulations “the principal Regulations” means the Civil Legal Aid (Scotland) (Fees) Regulations 1989(2).

Application

2. These Regulations shall apply only to fees for work done on or after 1st April 1997.

Amendment of the principal Regulations

3. For paragraph 14 of Part V of the Table of Fees set out in Schedule 1 to the principal Regulations (fees of solicitors for proceedings in the Court of Session)(3) there shall be substituted the following paragraph:—

“14. *Copying fees* £0.08”.

Where a document is copied
and it is necessary to take a

(1) 1986 c. 47.

(2) S.I. 1989/1490, amended by S.I. 1990/473, 1991/565, 1994/1015 and 1233 and 1995/1044.

(3) The Table of Fees in Schedule 1 was last substituted by regulation 3 of and Schedule 1 to S.I. 1995/1044.

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copy of more than 20 sheets
(whether 20 of 1 sheet, 5 of 4
sheets or whatever), for each
sheet copied a fee of

Note: a “sheet” shall consist
of 250 words or numbers.

4.—(1) For paragraph 16 of Chapter II of the Table of Fees set out in Schedule 2 to the principal Regulations (fees of solicitors for proceedings in the sheriff court) in relation to any case where the cause or action in respect of which legal aid is made available was commenced before 1st January 1994(4) there shall be substituted the following paragraph:—

“16. £0.08”.

Copying fees

Where a document is copied and it is necessary to take a copy of more than 20 sheets (whether 20 of 1 sheet, 5 of 4 sheets or whatever), for each sheet copied a fee of

Note: a “sheet” shall consist of 250 words or numbers.

(2) For paragraph 22 of Chapter II of the Table of Fees set out in Schedule 2 to the principal Regulations (fees of solicitors for proceedings in the sheriff court) in relation to any case where the cause or action in respect of which legal aid is made available was commenced on or after 1st January 1994(5) there shall be substituted the following paragraph:—

“22. *Copying fees* £0.08”.

Where a document is copied
and it is necessary to take a
copy of more than 20 sheets
(whether 20 of 1 sheet, 5 of 4
sheets or whatever), for each
sheet copied a fee of

Note: a “sheet” shall consist of
250 words or numbers.

5. In Schedule 3 to the principal Regulations (table of detailed fees chargeable by solicitors for proceedings in the Court of Session and sheriff court)(6) —

(a) for paragraph 6 there shall be substituted the following paragraph:—

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- (4) The Table of Fees in Schedule 2 in relation to cases commenced before 1st January 1994 was last substituted by regulation 4(1) of and Schedule 2A to [S.I. 1995/1044](#).
(5) The Table of Fees in Schedule 2 in relation to cases commenced on or after 1st January 1994 was last substituted by regulation 4(2) of and Schedule 2B to [S.I. 1995/1044](#).
(6) The Table of Fees in Schedule 3 was last substituted by regulation 5 and of Schedule 3 to [S.I. 1995/1044](#).

“6.	Where a document is copied and it is necessary to take a copy of more than 20 sheets (whether 20 of 1 sheet, 5 of 4 sheets or whatever), for each sheet copied a fee of	£0.08”;
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(b) For the paragraph under the heading “**Interpretation**” there shall be substituted the following paragraph:—

“In this Table—

“court” means court or tribunal as the case may be;

“a sheet” shall consist of 250 words or numbers; and

“a page” shall consist of 125 words or numbers.”.

St Andrew’s House Edinburgh
7th March 1997

James Douglas-Hamilton
Minister of State, Scottish Office

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Legal Aid (Scotland) (Fees) Regulations 1989 (“the principal Regulations”) so as to reduce the fees allowed to solicitors for copying and simplify the drafting of the provisions or copying.

The Regulations provide that where a document is copied and it is necessary to take a copy of more than 20 sheets in relation to—

- (a) the fees of solicitors for proceedings in the Court of Session and the fees of solicitor for proceedings in the sheriff court for any case where the cause or action in respect of which legal aid is made available was commenced before 1st January 1994, the fee for each sheet copied is £0.08 (regulations 3 and 4(1)). The previous provision provided that the fee for copying all necessary papers was £1.00 per sheet for the first copy and £0.43 for additional copies;
- (b) the fees of solicitors for proceedings in the sheriff court for any case where the cause or action in respect of which legal aid is made available was commenced on or after 1st January 1994, the fee for each sheet copied is £0.08 (regulation 4(2)). The previous provision provided that the fee for copying all necessary papers was £1.00 per sheet for the first copy and £0.41 for additional copies;
- (c) the detailed fees chargeable by solicitors for proceedings in the Court of Session and the sheriff court, the fee for each sheet copied is £0.08 (regulation 5). The previous provision provided that the fee where an exceptional amount of copying proved necessary was £0.35 per sheet (exceptional being defined as the production of more than 20 output copy sheets).

By virtue of regulation 2 the Regulations apply only to fees for work done on or after 1st April 1997.