

*These notes relate to the Courts Reform (Scotland) Act 2014
(asp 18) which received Royal Assent on 10 November 2014*

COURTS REFORM (SCOTLAND) ACT 2014

EXPLANATORY NOTES

THE ACT

Part 4 – Procedure and Fees

Fees of solicitors etc.

Section 106 – Power to regulate fees in the sheriff court and the Sheriff Appeal Court

188. **Section 106** is a replacement for section 40 of the Sheriff Courts (Scotland) Act 1907 Act. It gives the Court of Session a broad power to make acts of sederunt concerning the fees, including the fees recoverable in an award of judicial expenses, of various office-holders and persons in relation to proceedings in the sheriff court and Sheriff Appeal Court. An act of sederunt under section 106(1) is subject to the negative procedure by virtue of subsection (5)). After consulting the Lord President, the Scottish Ministers can, by order (subject to the negative procedure by virtue of section 133(3)), specify additional persons in respect of whom this power may be exercised.