



# Courts Reform (Scotland) Act 2014

## 2014 asp 18

### PART 3

#### CIVIL PROCEDURE

#### CHAPTER 4

##### LAY REPRESENTATION FOR NON-NATURAL PERSONS

#### 95 Key defined terms

- (1) This section applies for the purposes of the interpretation of this Chapter.
- (2) “Non-natural person” means—
  - (a) a company (whether incorporated in the United Kingdom or elsewhere),
  - (b) a limited liability partnership,
  - (c) any other partnership,
  - (d) an unincorporated association of persons.
- (3) “Lay representative” means an individual who is not a legal representative.
- (4) “Legal representative” means—
  - (a) a solicitor,
  - (b) an advocate, or
  - (c) a person having a right to conduct litigation, or a right of audience, by virtue of section 27 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.
- (5) An individual holds a relevant position with a non-natural person if the individual—
  - (a) in the case of a company, is a director or secretary of the company,
  - (b) in the case of a limited liability partnership, is a member of the partnership,
  - (c) in the case of any other partnership, is a partner in the partnership,
  - (d) in the case of an unincorporated association, is a member or office holder of the association.

*Status: This is the original version (as it was originally enacted).*

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- (6) For the purposes of section 96, an individual also holds a relevant position with a non-natural person if the individual is an employee of the non-natural person.
- (7) References to conducting proceedings are references to exercising, in relation to the proceedings, a function or right (including a right of audience) that a legal representative could exercise in the proceedings.