
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 264

**The Lay Representation in Proceedings relating
to Residential Property (Scotland) Order 2010**

Procedure for approval of lay representatives

6.—(1) The approving organisation's consideration of an application for approval must have regard to the interests of persons who might seek to be represented by an approved lay representative and must involve an assessment by the approving organisation of the applicant's—

- (a) knowledge and understanding of—
 - (i) Scottish legislation and common law in so far as they relate to housing and repossession; and
 - (ii) court procedures and rules, in particular those relating to summary applications in the Sheriff Court;
- (b) competence at constructing and stating a case both orally and in writing; and
- (c) advocacy skills, in particular in support and representation.

(2) The approving organisation must obtain an undertaking that the applicant, if approved as a lay representative, will—

- (a) not act as a lay representative in any situation where this would place the applicant in a situation of conflict of interest; and
- (b) respect client confidentiality.