
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 135

The Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) (No. 2) Regulations 2023

Amendment of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

3.—(1) The Civil Legal Aid (Scotland) (Fees) Regulations 1989⁽¹⁾ are amended as follows.

(2) In regulation 5 (fees allowable to solicitors), in paragraph (2A), for “£23.86”⁽²⁾ substitute “£26.30”.

(3) In Part 1 of Chapter 3 of schedule 2 (undefended actions), for the first table of fees substitute the table of fees in schedule 1 of these Regulations.

(4) In Part 2 of Chapter 3 of schedule 2 (defended actions), for the first table of fees substitute the table of fees in schedule 2 of these Regulations.

(5) In Chapter 4 of schedule 2 (executory business), for the table of fees substitute the table of fees in schedule 3 of these Regulations.

(6) In schedule 2A (fees allowable to solicitors for simple procedure cases and First-Tier Tribunal for Scotland cases)⁽³⁾, for the table of fees substitute the table of fees in schedule 4 of these Regulations.

(7) In schedule 3 (table of detailed fees chargeable by solicitors for proceedings in the Court of Session and the sheriff court), for the table of fees substitute the table of fees in schedule 5 of these Regulations.

(8) In schedule 5 (table of detailed fees chargeable by solicitors for proceedings in the Court of Session, Sheriff Appeal Court, and Upper Tribunal for Scotland, proceedings listed at regulation 5⁽³⁾ and proceedings in the sheriff court listed in schedule 7)⁽⁴⁾, for the table of fees substitute the table of fees in schedule 6 of these Regulations.

(9) In schedule 6 (table of fees chargeable by solicitors for proceedings in the sheriff court (except summary cause and executory proceedings and the proceedings listed in schedule 7) and in the Sheriff Appeal Court)—

- (a) in Chapter 1 (sheriff court civil fees (undefended)) in the Notes on the operation of Chapter 1 in paragraph 6, for “£8.27”⁽⁵⁾ substitute “£9.12”,
- (b) in Chapter 2 (sheriff court civil fees (defended)) in the Notes on the operation of Chapter 2 in paragraph 21, for “£8.27”⁽⁶⁾ substitute “£9.12”.

(1) S.I. 1989/1490; relevant amending instruments are S.I. 1994/1015, S.I. 1995/1044, S.S.I. 2003/178, S.S.I. 2007/14, S.S.I. 2009/203, S.S.I. 2011/41, S.S.I. 2011/160, S.S.I. 2013/144, S.S.I. 2013/250, S.S.I. 2014/257, S.S.I. 2015/337, S.S.I. 2015/380, S.S.I. 2016/257, S.S.I. 2016/290, S.S.I. 2017/310, S.S.I. 2019/78, S.S.I. 2020/191, S.S.I. 2021/56 and S.S.I. 2022/30.

(2) Paragraph (2A) was inserted by S.S.I. 2003/178 and this figure substituted by S.S.I. 2022/30.

(3) Schedule 2A was inserted by S.S.I. 2016/290 and relevantly amended by S.S.I. 2022/30.

(4) Schedule 5 was inserted by S.S.I. 2003/178 and renamed by S.S.I. 2016/257.

(5) Schedule 6 was inserted by S.S.I. 2003/178 and this figure substituted by S.S.I. 2022/30.

(6) This figure was substituted by S.S.I. 2022/30.