

SCHEDULE 9

Regulation 7(3)(a)

Amendments to Part 1 of schedule 3 of the Advice and Assistance (Scotland) Regulations 1996

| | | | Criminal | Civil | Children's |
|---|------|---|-----------------|--------------|-------------------|
| <i>(b) fees, as undernoted, for work other than or subsequent to that described in schedule 1B of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999(1)—</i> | | | | | |
| 1. The fee for— | | | | | |
| | (i) | any time up to the first half hour spent by a solicitor appearing in court or conducting another hearing | £34.32 | £41.51 | £41.51 |
| | (ii) | each quarter hour (or part thereof) subsequent to the first half hour spent in court or conducting another hearing | £17.17 | £20.79 | £20.79 |
| 1A. | | | | | |
| | | Supplementary fee, payable in addition to the fee under paragraph 1, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint | £88.16 | | |
| 2. The fee for— | | | | | |
| | (i) | each quarter hour (or part thereof) spent by a solicitor in carrying out work other than that prescribed in paragraphs 1 and 3 to 5 of this table, provided that any time is additional to the total time charged for under paragraph 1 | £13.23 | £15.97 | £15.97 |
| | (ii) | for each quarter hour (or part thereof) spent by a solicitor's clerk in carrying out work other than that prescribed in paragraphs 3 to 5 of this table | £6.59 | £7.97 | £7.97 |
| 3. The fee for— | | | £7.52 | £9.10 | £9.10 |
| | (i) | each citation of a witness including execution thereof, | | | |
| | (ii) | framing and drawing precognitions and other necessary papers, subject to paragraph 4(iii) below - per sheet (or part thereof), | | | |

(1) S.S.I. 1999/491. Schedule 1B was inserted by S.S.I. 2008/240 and relevantly amended by S.S.I. 2011/162, S.S.I. 2014/366, S.S.I. 2017/466, and S.S.I. 2022/30.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| | | Criminal | Civil | Children's | |
|--|---|--|--------------|-------------------|--------------|
| | (iii) | instructing messengers-at-arms and sheriff officers, including examining execution and settling fee, | | | |
| | (iv) | lengthy telephone calls (of over 4 and up to 10 minutes duration), and | | | |
| | (v) | letters, including instructions to counsel, subject to paragraph 4(ii) below – per page (or part thereof). | | | |
| 4. The fee for— | | £3.04 | £3.64 | £3.64 | |
| | (i) | attendance at court offices for performance of formal work including each necessary lodging in or uplifting from court or each necessary enquiry for documents due to be lodged, | | | |
| | (ii) | short letters of a formal nature, intimations and letters confirming telephone calls, | | | |
| | (iii) | framing formal papers, including inventories and title pages - per sheet (or part thereof), | | | |
| | (iv) | revising papers drawn by counsel or where revisal ordered by court – per 5 sheets (or part thereof), and | | | |
| | (v) | short telephone calls (of up to 4 minutes duration). | | | |
| 4A. The fee for each quarter of an hour (or part thereof) spent travelling— | | | | | |
| (a) | by a solicitor | | £6.63 | £8.01 | £8.01 |
| (b) | by a solicitor's clerk | | £3.31 | £4.01 | £4.01 |
| 5. | | | | | |
| (a) There is no fee for photocopying— | | | | | |
| | (i) | where fewer than 20 sheets are copied at one time, | | | |
| | (ii) | in relation to the first 20 sheets copied at any one time. | | | |
| (b) | Subject to sub-paragraph (a), the fee for all photocopying in the matter in relation to which assistance by way of representation was given is— | | | | |
| | (i) | for each sheet copied, up to 10,000 sheets, and | £0.05 | | |
| | (ii) | for each sheet copied in addition to the first 10,000 sheets | £0.01 | | |

Document Generated: 2023-05-07

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*