



Crown Proceedings Act 1947

1947 CHAPTER 44 10 and 11 Geo 6

PART V

APPLICATION TO SCOTLAND

45 Satisfaction of orders granted against the Crown in Scotland.

- (1) Where in any civil proceedings by or against the Crown or to which the Crown has been made a party, any order (including an award of expenses) is made by any court in favour of any person against the Crown or against a Government department or against an officer of the Crown as such, the clerk of court shall, on an application in that behalf made by or on behalf of that person at any time after the expiration of twenty-one days from the date of the order, or, in a case where there is an award of expenses and the expenses require to be taxed, at any time after taxation whichever is the later, issue to that person a certified copy of the order of the court.
- (2) A copy of any such order may be served by the person in whose favour the order is made upon the person for the time being named in the record as the solicitor, or the person acting as solicitor, for the Crown or for the Government department or officer concerned.
- (3) If the order decerns for the payment of any money by way of damages or otherwise or of any expenses, the appropriate Government department shall, subject as hereinafter provided, pay to the person entitled or to his solicitor the amount appearing from the order to be due to him together with the interest, if any, lawfully due thereon:
Provided that the court by which any such order as aforesaid is made or any court to which an appeal against the order lies may direct that pending an appeal or otherwise payment of the whole of any amount so payable, or any part thereof, shall be suspended.
- (4) No such order as aforesaid shall warrant any diligence or execution against any person to enforce payment of any such money or expenses as aforesaid, and no person shall be individually liable under any order for the payment by the Crown, or any Government department or any officer of the Crown as such, of any such money or expenses.

Changes to legislation: There are currently no known outstanding effects for the Crown Proceedings Act 1947, Section 45. (See end of Document for details)

Modifications etc. (not altering text)

C1 S. 45 modified (S.) by [Debtors \(Scotland\) Act 1987 \(c. 18, SIF 45:2\)](#), s.108, Sch. 7 paras. 5, 9(1)

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