



Courts of Law Fees (Scotland) Act 1895

1895 CHAPTER 14 58 and 59 Vict

An Act to provide for the Regulation of Fees payable in the Courts of Law in Scotland. [30th May 1895]

Modifications etc. (not altering text)

C1 Act extended by [Foreign Judgements \(Reciprocal Enforcement\) Act 1933 \(c. 13\), s. 12\(b\)](#)

1 Short title and extent.

This Act may be cited as the Courts of Law Fees (Scotland) Act 1895, and shall apply to Scotland only.

^{F1} 2 Power of Secretary of State to regulate court fees.

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Textual Amendments

F1 S. 2 repealed (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\), s. 138\(2\), Sch. 5 para. 26](#); [S.S.I. 2015/77, art. 2\(2\)\(3\), Sch. \(with art. 7\)](#)

3 [^{F2}Taxation of accounts in criminal proceedings].

[^{F3}(1)] All accounts of expenses found due in the [^{F4}relevant court], or in any inferior Court whose judgment has been brought under the review of the [^{F4}relevant court], by suspension or appeal, or otherwise, unless the amount of the expenses found due shall have been determined or modified by the [^{F5}relevant court], shall be remitted to the [^{F6}relevant auditor of court] to be examined and taxed in like manner, and subject to the same [^{F7}rules of court], as accounts of expenses in [^{F8}relevant civil proceedings].

[^{F9}(2) In subsection (1)—

“relevant court” means—

Changes to legislation: There are currently no known outstanding effects for the Courts of Law Fees (Scotland) Act 1895. (See end of Document for details)

- (a) the High Court of Justiciary, or
 - (b) the Sheriff Appeal Court, when exercising its jurisdiction in criminal proceedings,
- “relevant auditor of court” means—
- (a) where the relevant court is the High Court of Justiciary, the Auditor of the Court of Session,
 - (b) where the relevant court is the Sheriff Appeal Court, the auditor of the Sheriff Appeal Court,
- “relevant civil proceedings” means—
- (a) where the relevant court is the High Court of Justiciary, proceedings in the Court of Session,
 - (b) where the relevant court is the Sheriff Appeal Court, civil proceedings in that Court.]

Textual Amendments

- F2** S. 3 title substituted (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(3\)](#); S.S.I. 2018/368, reg. 2(o)
- F3** s. 3 renumbered as s. 3(1) (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(2\)\(a\)](#); S.S.I. 2018/368, reg. 2(o)
- F4** Words in s. 3(1) substituted (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(2\)\(b\)\(i\)](#); S.S.I. 2018/368, reg. 2(o)
- F5** Words in s. 3(1) substituted (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(2\)\(b\)\(ii\)](#); S.S.I. 2018/368, reg. 2(o)
- F6** Words in s. 3(1) substituted (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(2\)\(b\)\(iii\)](#); S.S.I. 2018/368, reg. 2(o)
- F7** Words in s. 3(1) substituted (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(2\)\(b\)\(iv\)](#); S.S.I. 2018/368, reg. 2(o)
- F8** Words in s. 3(1) substituted (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(2\)\(b\)\(v\)](#); S.S.I. 2018/368, reg. 2(o)
- F9** S. 3(2) inserted (30.1.2019) by [Civil Litigation \(Expenses and Group Proceedings\) \(Scotland\) Act 2018 \(asp 10\)](#), s. 27(3), [sch. para. 2\(2\)\(c\)](#); S.S.I. 2018/368, reg. 2(o)

^{F10} 4 Power to regulate fees to keepers of London and Edinburgh Gazettes for certain notices.

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Textual Amendments

- F10** S. 4 repealed (30.11.2016) by [Bankruptcy \(Scotland\) Act 2016 \(asp 21\)](#), s. 237(2), [sch. 9 Pt. 1](#) (with ss. 232, 234(3), 235, 236); S.S.I. 2016/294, reg. 2

5 Repeal.

All Acts of Parliament or Acts of Sederunt, in so far as inconsistent with the provisions of this Act, are hereby repealed.

Changes to legislation:

There are currently no known outstanding effects for the Courts of Law Fees (Scotland) Act 1895.