



Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983

1983 CHAPTER 12

PART III

COURT FEES

4 Power of Secretary of State to regulate court fees.

For section 2 of the ^{M1}Courts of Law Fees (Scotland) Act 1895 (which enables the High Court of Justiciary and the Court of Session to regulate court fees) there shall be substituted the following section—

“2 Power of Secretary of State to regulate court fees.

- (1) The Secretary of State may, with the concurrence of the Treasury, by order regulate the fees payable—
 - (a) to any officer of any office or department connected with the Scottish courts the expenses of which are paid wholly or partly out of the Consolidated Fund or out of moneys provided by Parliament; and
 - (b) to the district court.
- (2) An order under subsection (1) above—
 - (a) may provide as to the times when, places where and persons to whom fees payable by virtue of this section are payable;
 - (b) may, in relation to any such fees, provide—
 - (i) for exemption from the requirement to pay them;
 - (ii) for their remission;
 - (iii) for their modification; and
 - (iv) as to the circumstances in which and persons by whom such exemptions, remissions and modifications may be made; and
 - (c) may make different provision in relation to—

Changes to legislation: There are currently no known outstanding effects for the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983, Part III. (See end of Document for details)

- (i) different courts; and
 - (ii) different cases or classes of case.
- (3) In subsection (1) above, “the Scottish courts” means—
- (a) the Court of Session;
 - (b) the High Court of Justiciary;
 - (c) the sheriff court;
 - (d) the court of commissioners for teinds (provision for which is made in section 8 of the Court of Session Act 1839);
 - (e) the court for hearing appeals under subsection (8)(b) of section 45 of the Representation of the People Act 1949 (appeals relating to the registration of electors);
 - (f) the election court constituted under section 110 of the said Act of 1949;
 - (g) the lands valuation appeal court (provision for which is made in section 7 of the Valuation of Lands (Scotland) Amendment Act 1879); and
 - (h) any other court specified as a Scottish court for the purposes of this section in an order made by the Secretary of State.
- (4) An order under subsection (1) or (3)(h) above shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”

Marginal Citations

M1 1895 c. 14.

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