
STATUTORY INSTRUMENTS

1999 No. 187 (S.9)

COURT OF SESSION, SCOTLAND

**Act of Sederunt (Rules of the Court of
Session Amendment) (Witnesses' Fees) 1999**

Made - - - - - *27th January 1999*

Coming into force - - - - - *1st March 1999*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 5 of the Court of Session Act 1988(1) and of all other powers enabling them in that behalf, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of the Court of Session Amendment) (Witnesses' Fees) 1999 and shall come into force on 1st March 1999.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of Rule 42.16 of the Rules of the Court of Session

2. In chapter II of the Table of Fees set out in rule 42.16 of the Rules of the Court of Session(2) (witnesses' fees), in the provisions mentioned in column 1 of the Schedule to this Act of Sederunt, for the amounts respectively specified in column 2, substitute the amounts so specified in column 3.

Saving

3. Paragraph 2 does not affect such fees as are incurred before 1st March 1999.

Edinburgh,
27th January 1999.

Rodger of Earlsferry
Lord President I.P.D.

(1) 1988 c. 36; section 5 was amended by the Civil Evidence (Scotland) Act 1988 (c. 32), section 2(3) and by the Children (Scotland) Act 1995 (c. 36), Schedule 4, paragraph 45.
(2) S.I. 1994/1443.

Status: This is the original version (as it was originally made).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

SCHEDULE

Paragraph 2.

<i>(1)</i> <i>Provision of Chapter II</i>	<i>(2)</i> <i>Old fee (£)</i>	<i>(3)</i> <i>New fee (£)</i>
Paragraph 1 (managers, executives and officers in HM Forces and merchant shipping)	140.00	160.00
Paragraph 2 (professional persons)		
(a)(i)	98.00	108.00
(ii)	56.00	62.00
(iii)	168.00	175.00
(b)(i)	168.00	175.00
Paragraph 3 (other persons)		
(a)(i)	52.00	58.00
(ii)	29.00	33.00
(b)	14.00	20.00
Paragraph 5 (subsistence allowance)		
(a)	7.00	10.00
(b)	14.00	20.00
(c)	70.00	115.00

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt provides for an increase of about 10% in the fees payable to witnesses in the Court of Session (and an increase of about 65% in the overnight allowance so payable) by amending Chapter II of the Table of Fees set out in rule 42.16 of the Rules of the Court of Session. The last increase was in the Act of Sederunt (Rules of the Court of Session Amendment No.7) (Witnesses' Fees) 1992 (S.I.1992/1906).