



# Courts of Law Fees (Scotland) Act 1895

1895 CHAPTER 14 58 and 59 Vict

## 3 [F1Taxation of accounts in criminal proceedings].

[F2(1)] All accounts of expenses found due in the [F3relevant court], or in any inferior Court whose judgment has been brought under the review of the [F3relevant court], by suspension or appeal, or otherwise, unless the amount of the expenses found due shall have been determined or modified by the [F4relevant court], shall be remitted to the [F5relevant auditor of court] to be examined and taxed in like manner, and subject to the same [F6rules of court], as accounts of expenses in [F7relevant civil proceedings].

[F8(2) In subsection (1)—

“relevant court” means—

- (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

- F1** 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)
- F2** 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)
- F3** 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)

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**Changes to legislation:** There are currently no known outstanding effects for the  
Courts of Law Fees (Scotland) Act 1895, Section 3. (See end of Document for details)

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- 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)(ii)**; 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)(iii)**; 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)(iv)**; 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)(v)**; S.S.I. 2018/368, reg. 2(o)
- F8** 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)

**Changes to legislation:**

There are currently no known outstanding effects for the Courts of Law Fees (Scotland) Act 1895, Section 3.