

This Scottish Statutory Instrument has been made in consequence of a defect in S.S.I. 2004/152 and is being issued free of charge to all known recipients of that instrument.

SCOTTISH STATUTORY INSTRUMENTS

2004 No. 196

SHERIFF COURT

Act of Sederunt (Fees of Solicitors and Witnesses in the Sheriff Court) (Amendment No. 2) 2004

<i>Made</i> - - - -	<i>22nd April 2004</i>
<i>Laid before Parliament</i>	<i>23rd April 2004</i>
<i>Coming into force</i> - -	<i>3rd May 2004</i>

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 40 of the Sheriff Courts (Scotland) Act 1907(a) 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 (Fees of Solicitors and Witnesses in the Sheriff Court) (Amendment No. 2) 2004 and shall come into force on 3rd May 2004.

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

Amendment of the Act of Sederunt (Fees of Solicitors and Witnesses in the Sheriff Court) (Amendment) 2004

2.—(1) The Act of Sederunt (Fees of Solicitors and Witnesses in the Sheriff Court) (Amendment) 2004(b) shall be amended in accordance with the following sub-paragraph.

(2) For paragraph 3(e) there shall be substituted the following:—

“(e) for paragraph 6 (options hearing or child welfare hearing) there shall be substituted the following:—

“6. *Options Hearing or Child Welfare Hearing* – To include preparation for and conduct of (each of) an Options Hearing or a Child Welfare Hearing and noting interlocutor—

- | | |
|---------------------------------------------------------------------------------|---------|
| (a) where initial hearing does not exceed one half hour; | £209.80 |
| (b) where initial hearing exceeds one half hour – for every extra quarter hour; | £ 31.30 |

(a) 1907 c.51; section 40 was amended by the Sheriff Courts (Scotland) Act 1913 c.28, Schedule 1; the Secretaries of State Act 1926 c.18, section 1(3); the Administration of Justice (Scotland) Act 1933 c.41, Schedule; the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 c.12, Schedule 1, paragraph 7 and Schedule 2; and the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 c.40, Schedule 9.

(b) S.S.I. 2004/152.

- (c) where hearing continued, for each continued hearing that does not exceed one half hour; £105.00
- (d) where continued hearing exceeds one half hour – for every extra quarter hour; and £ 31.30
- (e) for lodging and intimating or for considering note of the basis of preliminary plea – for each note lodged; £ 52.60”.”.

Cullen of Whitekirk
Lord President, I.P.D.

Edinburgh

22nd April 2004

EXPLANATORY NOTE

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

This Act of Sederunt corrects an error in the Act of Sederunt (Fees of Solicitors and Witnesses in the Sheriff Court) (Amendment) 2004.

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