
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 257

The Civil Legal Aid (Scotland) (Miscellaneous Amendments) Regulations 2016

Amendment of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

- 2.—(1) The Civil Legal Aid (Scotland) (Fees) Regulations 1989⁽¹⁾ are amended as follows.
- (2) In regulation 2(1) (interpretation), in the definition of “auditor”—
- (a) in paragraph (a) after “Lands Valuation Appeal Court” insert “, Upper Tribunal for Scotland”; and
 - (b) in paragraph (aa), for the words from “sheriff court” to “heard” substitute “Sheriff Appeal Court”.
- (3) In regulation 5(1) (fees and outlays allowable to solicitors), after “Court of Session” insert “or the Upper Tribunal for Scotland”.
- (4) In regulation 10(1) (fees allowable to counsel), after “Court of Session” insert “, Upper Tribunal for Scotland”.
- (5) In schedule 4 (fees of counsel for proceedings in the Court of Session, Sheriff Appeal Court and sheriff court)—
- (a) the heading of the schedule becomes “Fees of Counsel for proceedings in the Court of Session, Sheriff Appeal Court, sheriff court and Upper Tribunal for Scotland”;
 - (b) in paragraph 13, after “sheriff court” insert “, Upper Tribunal for Scotland”; and
 - (c) in Table of Fees B (fees of counsel for proceedings in the sheriff court and the Sheriff Appeal Court)—
 - (i) the heading becomes “Table of Fees B – Fees of Counsel for proceedings in the sheriff court, Sheriff Appeal Court and Upper Tribunal for Scotland”;
 - (ii) in paragraph 16 of Part 1 (junior counsel), after “2011 Act” insert “or to the Upper Tribunal for Scotland”; and
 - (iii) in paragraph 6 of Part 2 (senior counsel), after “2011 Act” insert “or to the Upper Tribunal for Scotland”.
- (6) The heading of schedule 5 becomes “Table of detailed fees chargeable by solicitors for proceedings in the Court of Session, Sheriff Appeal Court and Upper Tribunal for Scotland, proceedings listed at regulation 5(3) and proceedings in the sheriff court listed in schedule 7”.

⁽¹⁾ S.I. 1989/1490; relevant amending instruments are S.S.I. 1994/1015, S.S.I. 2002/496, S.S.I. 2003/178, S.S.I. 2004/281, S.S.I. 2007/14, S.S.I. 2009/203, S.S.I. 2009/312, S.S.I. 2011/160, S.S.I. 2013/144 and S.S.I. 2015/380.