
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 313

Act of Sederunt (Sheriff Court Bankruptcy Rules) 2016

CHAPTER 4

REPRESENTATION AND SUPPORT

Lay representation

4.4.—(1) A party may apply to the sheriff for permission to be represented by a person who is not a legal representative or an authorised person, and such a person is to be known as a lay representative.

(2) The sheriff may grant an application only if the sheriff considers that it would assist the sheriff's consideration of the case to grant it.

(3) If the sheriff no longer considers that it would assist the sheriff's consideration of the case for a party to be represented by a lay representative, the sheriff may withdraw permission.

(4) A lay representative may represent a party at a specified hearing for the purpose of making oral submissions on behalf of the party.

(5) The party must appear along with the lay representative at any hearing where the lay representative is to make oral submissions.

(6) A party may show any document (including a court document) or communicate any information about the proceedings to that party's lay representative without contravening any prohibition or restriction on disclosure of the document or information.

(7) Where a document or information is disclosed under paragraph (6), the lay representative is subject to any prohibition or restriction on disclosure in the same way as the party is.

(8) A lay representative must not receive directly or indirectly from the party any remuneration or other reward for assisting the party.