



Courts of Law Fees (Scotland) Act 1895

1895 CHAPTER 14 58 and 59 Vict

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An Act to provide for the Regulation of Fees payable in the Courts of Law in Scotland. [30th May 1895]

Modifications etc. (not altering text)

C1 Act extended by [Foreign Judgements \(Reciprocal Enforcement\) Act 1933 \(c. 13\), s. 12\(b\)](#)

1 Short title and extent. **S**

This Act may be cited as the Courts of Law Fees (Scotland) Act 1895, and shall apply to Scotland only.

^{F1} 2 Power of Secretary of State to regulate court fees. **S**

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Textual Amendments

F1 S. 2 repealed (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\), s. 138\(2\), Sch. 5 para. 26](#); [S.S.I. 2015/77, art. 2\(2\)\(3\), Sch. \(with art. 7\)](#)

3 [^{F2}Taxation of accounts in criminal proceedings]. **S**

[^{F3}(1)] All accounts of expenses found due in the [^{F4}relevant court], or in any inferior Court whose judgment has been brought under the review of the [^{F4}relevant court], by suspension or appeal, or otherwise, unless the amount of the expenses found due shall have been determined or modified by the [^{F5}relevant court], shall be remitted to the [^{F6}relevant auditor of court] to be examined and taxed in like manner, and subject to the same [^{F7}rules of court], as accounts of expenses in [^{F8}relevant civil proceedings].

[^{F9}(2) In subsection (1)—

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

- “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

- F2** 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)
- F3** 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)
- 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\(2\)\(b\)\(i\)](#); 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\(2\)\(b\)\(ii\)](#); 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\(2\)\(b\)\(iii\)](#); 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\(2\)\(b\)\(iv\)](#); S.S.I. 2018/368, reg. 2(o)
- F8** 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)
- F9** 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)

^{F10} **Power to regulate fees to keepers of London and Edinburgh Gazettes for certain notices.** **S**

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Textual Amendments

- F10** S. 4 repealed (30.11.2016) by [Bankruptcy \(Scotland\) Act 2016 \(asp 21\)](#), s. 237(2), [sch. 9 Pt. 1](#) (with ss. 232, 234(3), 235, 236); S.S.I. 2016/294, reg. 2

5 Repeal. **S**

All Acts of Parliament or Acts of Sederunt, in so far as inconsistent with the provisions of this Act, are hereby repealed.

Changes to legislation:

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