and effect of the same; therefore the said LORDS OF COUNCIL AND SESSION, according to the power lodged in them by the institution of the College of Justice and subsequent Laws and Acts of Parliament, and the laudable practice of their predecessors in the like cases for preventing and removing any question or debate there anent, do DECLARE that they will allow and sustain the said summonses and others foresaid, with all that has followed or may follow thereupon in like way and manner, and to have that force and effect as if the same had been perfected and received full effect and execution during the reign of our said deceased Sovereign; and that it shall be lawful to execute and further prosecute and follow out all summonses and others foresaid in the name of her present Majesty, albeit the said summonses and others foresaid have been raised or issued in the name of the said deceased King George the Sixth.

And the Lords APPOINT this Act to be inserted in the Books of Sederunt.

T. M. COOPER, I.P.D.

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt, but is intended to indicate its general purport.)

This Act of Sederunt preserves the validity of summonses and other writs raised or issued in the name of his late Majesty King George the Sixth.

1952 No. 890 (S. 35)

Act of Sederunt (Alteration of Court of Session Fees) 1952

Made - - - -	*1st May*, 1952
Coming into Operation	*5th May*, 1952

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 16 of the Administration of Justice (Scotland) Act, 1933(a), and of all other powers competent to them in that behalf, do hereby enact as follows:—

1.—(*a*) In all defended actions in taxations as between party and party and in consistorial cases there shall be allowed in place of the fee for adjustment and closing of Record and other detailed charges hitherto allowed in connection with adjustment, closing of Record and work incidental thereto a Record Fee of £7 7s., to include work in connection with adjustment of pleadings, borrowing and returning process after Defences lodged, and for writing or noting adjustments, making up and copying set of papers to be duplicated or printed, instructing Duplicating Agency or Printers, framing title page and index to and revising proof prints of Open and Closed Records, settling Duplicating Agency or Printers accounts, lodging and intimating prints of Records, copy adjustments for intimation and otherwise, procuring and copying of interlocutors for solicitor and client, all communications and meetings with opposite solicitor and Counsel and client relative to adjustment, fee funding Closed Record, considering pleadings and productions and attendances in Court relative to adjustment and closing of Record.

(*b*) When a case is settled after the defences are lodged but before the Closed Record is lodged, the Record Fee shall be restricted to £5 5s.

(a) 23 & 24 Geo. 5. c. 41.

2. In undefended consistorial actions in which the pursuer is an Assisted Person under the Legal Aid (Scotland) Act, 1949(a) the pursuer's solicitor may in his option and with the consent of the Law Society of Scotland elect to charge an inclusive fee to cover all work (including copyings) from taking instructions up to and including obtaining extract decree. Outlays (including Court dues, Counsel's fees, less 15 per cent., and witnesses' expenses) shall also be allowed subject to taxation. The option shall be exercised by the pursuer's solicitor enrolling a motion to that effect after a finding for expenses has been pronounced. Such inclusive fee shall be such an amount as after deduction of 15 per cent. will amount to:—

(*a*) where only an Edinburgh solicitor is engaged in the case—£22, or

(*b*) where the Legal Aid Certificate shows that both an Edinburgh solicitor and a solicitor outside Edinburgh are engaged in the case or where an official on behalf of the Legal Aid Supreme Court Committee of the Law Society of Scotland so certifies—£32,

Provided that percentage increases shall not apply to the inclusive fees prescribed by this paragraph.

3. Subject to paragraph 2 hereof, the Act of Sederunt of 2nd April, 1946(b), by which provision was made for an increase of 25 per cent. in certain fees chargeable for business in the Court of Session, is hereby amended by the substitution of 50 per cent. for 25 per cent.

4. This Act of Sederunt may be cited as the Act of Sederunt (Alteration of Court of Session Fees) 1952 and shall come into operation on the 5th day of May, 1952.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

T. M. Cooper,
I.P.D.

Edinburgh, 1st May, 1952.

EXPLANATORY NOTE

(*This Note is not part of the Act of Sederunt but is intended to indicate its general purport.*)

This Act of Sederunt makes certain changes in the fees chargeable for business in the Court of Session and provides for an overall increase of 50 per cent. on the fees fixed by the Rules of Court of 1934.

1952 No. 1387 (S. 72)

Act of Sederunt (Registration Appeal Court), 1952

Made - - - -	11*th July*, 1952
Coming into Operation	11*th July*, 1952

The Lords of Council and Session, under and by virtue of the powers conferred upon them by subsection (9) of section 45 of the Representation of

(a) 12, 13 & 14 Geo. 6. c. 63. (b) S.R. & O. 1946/668; Rev. XX, p. 897; 1946 I, p. 1535.