2. This Act of Sederunt may be cited as the Act of Sederunt (Admission of Solicitors) 1954 and shall come into operation on 1st June, 1954.

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

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

Edinburgh,
1st June, 1954.

EXPLANATORY NOTE

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

This Act of Sederunt amends the Rules of Court by increasing certain fees payable in connection with the admission of solicitors and intimation of indentures.

1954 No. 1313 (S. 146)

Act of Sederunt (Alteration of Court of Session Fees) 1954

Made - - - -	*5th October,* 1954
Coming into Operation	*5th October,* 1954

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 as against the party found liable in expenses, in place of the fee for adjustment and closing of Record and other detailed charges hitherto allowed in connection with adjustments, 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 attendance 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 has been throughout the whole of the proceedings an Assisted Person under the Legal Aid (Scotland) Act 1949(**a**) the pursuer's solicitor may in his option either,—

(*a*) elect to charge an inclusive charge to cover all work, and including fees and outlays, from taking instructions up to and including obtaining extract decree. This inclusive charge shall be—

(i) where only an Edinburgh solicitor is engaged in the case—£35, or

(ii) 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,—£45

and the Court shall grant decree accordingly,

or

(*b*) elect to charge an inclusive charge to cover all work from taking instructions up to and including obtaining extract decree with in addition a charge for outlays as hereinafter provided. Provided that

(1) such inclusive charge shall be—

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

(ii) 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 so certifies—£32.

In addition to the said inclusive charge a sum of up to £17 shall be allowed as outlays where a Certificate by the Law Society is lodged certifying the outlays which have been incurred, and the Court shall grant decree accordingly. And

(2) if outlays in excess of £17 are claimed an account for the said sums of £22 and £32 as in Paragraph 2 (*b*) (1) hereof and the said outlays shall be remitted to the Auditor of Court for taxation.

These options shall be exercised by the pursuer's solicitor enrolling a motion for decree for either the appropriate inclusive charge and for a sum for outlays as shown in the said Certificate not exceeding £17 or a motion for the appropriate inclusive charge and an order remitting the account of outlays to the Auditor of the Court for taxation.

or

(*c*) move the Court for decree for expenses, and for a remit to the Auditor for taxation in common form.

Provided that percentage increases shall not apply to the sum or inclusive charges prescribed in options (*a*) or (*b*) of this paragraph.

3. The Act of Sederunt (Alteration of Court of Session Fees) 1952(**b**), with the exception of paragraph 3, is hereby repealed.

4. This Act of Sederunt may be cited as the Act of Sederunt (Alteration of Court of Session Fees) 1954 and shall come into operation on the 5th day of October 1954.

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

Edinburgh, *G. R. Thomson,*
5th October 1954. I.P.D.

(a) 12, 13 & 14 Geo. 6. c. 63. (b) S.I. 1952/890 (1952 III, p. 2956).

EXPLANATORY NOTE

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

This Act of Sederunt repeals the Act of Sederunt (Alteration of Court of Session Fees) 1952, with the exception of paragraph 3 and makes provision for the charging of an inclusive Record Fee to cover work formerly the subject of detailed charges, and also makes provision on certain conditions for the charging of inclusive fees and outlays by solicitors acting for Assisted Persons under the Legal Aid (Scotland) Act, 1949, in undefended consistorial actions.

1954 No. 110 (S. 19)

Act of Sederunt (Rules of Court Amendment) 1954

Made - - - - 22*nd January*, 1954
Coming into Operation 1*st February*, 1954

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. The Rules of the Court of Session (**b**) shall be amended as follows:—

(*a*) In Rule 55 (*b*) " six guineas " shall be substituted for " four guineas".

(*b*) In Rule 114 (*f*) " £4 4s." shall be substituted for " £2 2s.".

(*c*) In rules 281 (*b*) 284 (*c*), 286 (*h*) (ii) and 286 (*k*) (iii) " £5 5s." shall be substituted for " £3 3s."

(*d*) In Rule 357 D, Admiralty Cases, (*a*) the fee to Counsel for settling Preliminary Act shall be £3 3s.

2. This Act of Sederunt may be cited as the Act of Sederunt (Rules of Court Amendment) 1954 and shall come into operation on 1st February, 1954.

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

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

Edinburgh, 22nd January, 1954.

EXPLANATORY NOTE

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

This Act of Sederunt amends the Rules of Court by increasing certain fees which are no longer adequate.

(**a**) 23 & 24 Geo. 5. c. 41. (**b**) S.I. 1948/1691 (1948 I, p. 3778).