1982 No. 1824 (S. 197)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Rules of Court Amendment No. 8) (Court Fees in Simplified Divorce Procedure) 1982

Made - - - - - 16*th December* 1982

Coming into Operation 11*th January* 1983

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 2 of the Courts of Law Fees (Scotland) Act 1895**(a)**, section 16 of the Administration of Justice (Scotland) Act 1933**(b)** and of all other powers competent to them in that behalf, do hereby, with the approval of the Treasury, enact and declare:—

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of Court Amendment No. 8) (Court Fees in Simplified Divorce Procedure) 1982 and shall come into operation on 11th January 1983.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of Rules of Court

2. In the Rules of Court **(c)** in the table of fees in rule 346:—

(*a*) in section B (General Department), in item 2, after the word "originated" insert the words "(other than a simplified divorce application)";

(*b*) in section G (Extracts), in item 6(*a*), after the words "item B2"; add the words "or item K1"; and

(*c*) after section J, add the following section:—

"K.—SIMPLIFIED DIVORCE PROCEDURE

	£ p
1. Specified fee for simplified divorce application—inclusive (except for item 2)	40.00
2. Additional fee for citation under rule 159(1)(a) or (b) or intimation under rule 159(1)(a) or (b) as applied by rule 160(1), where required by the Court	4.00

(a) 1895 c. 14. **(b)** 1933 c. 41.

(c) S.I. 1965/321; relevant amending instrument is S.I. 1982/654.

3. EXEMPTION FROM FEES. A person making a simplified divorce application who is in receipt of:—

(*a*) a supplementary pension or an allowance under Part I of the Supplementary Benefits Act 1976**(a)**; or

(*b*) a family income supplement under section 1 of the Family Income Supplements Act 1970**(b)**; or

(*c*) advice and assistance from a solicitor under the Legal Advice and Assistance Act 1972**(c)** in respect of the simplified divorce application,

shall be exempt from payment of fees under this section.

Emslie,
Lord President.
I.P.D.

Edinburgh.
16th December 1982

EXPLANATORY NOTE

(*This Note is not part of the Act of Sederunt.*)

This Act of Sederunt makes provision in the Rules of Court of the Court of Session for fee-fund dues payable to the Court on a simplified divorce application and for exemption therefrom.

(a) 1976 c. 71. **(b)** 1970 c. 55. **(c)** 1972 c. 50.

SI 1982/1824
ISBN 0-11-027824-0

