STATUTORY INSTRUMENTS

1964 No. 1622 (S. 103)

COURT OF SESSION, SCOTLAND
SHERIFF COURT, SCOTLAND

Act of Sederunt (Legal Aid Rules) 1964

Made - - - -	1*st October* 1964
Coming into Operation	1*st October* 1964

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 13 of the Legal Aid (Scotland) Act 1949(a) and section 2 of the Legal Aid Act 1964(b), and of all other powers competent to them in that behalf, do hereby enact and declare as follows:—

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Legal Aid Rules) 1964, and shall come into operation on 1st October 1964.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of this Act of Sederunt as it applies to the interpretation of an Act of Parliament.

(3) In this Act of Sederunt, unless the context otherwise requires:—

"the Act" means the Legal Aid Act 1964(b);

"applicant" means a person applying for an order under the Act;

"application" means an application for an order under the Act;

"Law Society" means the Law Society of Scotland established by the Solicitors (Scotland) Act 1949(a);

"order under the Act" means an order under section 1 of the Act for the payment out of the legal aid fund of the whole or any part of the expenses incurred by a successful unassisted party;

2. An application for an order under the Act shall be made by motion to the court.

3. On an application being made, the court may order the applicant to lodge a statement on oath of his grounds for claiming payment out of the legal aid fund of the whole or any part of the expenses incurred by him, or may dismiss the application forthwith.

4. In the event of an applicant being ordered to lodge his grounds for claiming payment out of the legal aid fund of the whole or any part of the expenses incurred by him, the court shall order intimation of the statement of grounds to be made by the applicant to the Law Society who shall be entitled to be represented at the hearing when the court disposes of the application.

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

J. L. Clyde,
I.P.D.

Edinburgh.
1st October 1964.

(a) 12, 13 & 14 Geo. 6. c. 63. (b) 1964 c. 30. (c) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

This Act of Sederunt provides for an application for an order under the Legal Aid Act 1964 to be made by motion, and for the lodging of a statement of grounds of claim in certain cases. It declares that the Law Society shall be entitled to be represented at the hearing when the court disposes of the application.