SCOTTISH STATUTORY INSTRUMENTS

2024 No. 323

COURT OF SESSION

SHERIFF APPEAL COURT

SHERIFF COURT

Act of Sederunt (Rules of the Court of Session 1994, Sheriff Appeal Court Rules 2021 and Ordinary Cause Rules 1993 Amendment) (Taxation of Judicial Expenses) 2024

Made - - - -	*6th November 2024*
Laid before the Scottish Parliament	*8th November 2024*
Coming into force - -	*1st January 2025*

In accordance with section 4 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013(**a**), the Court of Session has approved draft rules submitted to it by the Scottish Civil Justice Council.

The Court of Session therefore makes this Act of Sederunt under the powers conferred by sections 103(1) and 104(1) of the Courts Reform (Scotland) Act 2014(**b**) and all other powers enabling it to do so.

Citation and commencement, etc.

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Rules of the Court of Session 1994, Sheriff Appeal Court Rules 2021 and Ordinary Cause Rules 1993 Amendment) (Taxation of Judicial Expenses) 2024.

(2) It comes into force on 1st January 2025.

(3) A certified copy is to be inserted in the Books of Sederunt.

Application

2. The amendments effected by this Act of Sederunt apply in respect of proceedings where an account of expenses is lodged for taxation on or after the coming into force of this Act of Sederunt.

(**a**) 2013 asp 3. Section 4 was amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 31(3) and by the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), schedule 1, paragraph 1(4).
(**b**) 2014 asp 18.

Amendment of the Rules of the Court of Session 1994

3.—(1) Chapter 42 (taxation of accounts, etc)(**a**) of the Rules of the Court of Session 1994(**b**) is amended in accordance with this paragraph.

(2) In rule 42.2 (diet of taxation)(**c**)—

(a) in paragraph (4)—

(i) for "4.00pm", substitute "1600 hours";

(ii) for "fourth business", substitute "fifteenth";

(b) omit paragraph (8).

Amendment of the Sheriff Appeal Court Rules 2021

4.—(1) Chapter 20 (expenses) of the Act of Sederunt (Sheriff Appeal Court Rules) 2021(**d**) is amended in accordance with this paragraph.

(2) In rule 20.3 (diet of taxation)—

(a) in paragraph (5), for "fourth business", substitute "fifteenth";

(b) omit paragraph (9).

Amendment of the Ordinary Cause Rules 1993

5.—(1) Chapter 32 (taxation of expenses)(**e**) of the Ordinary Cause Rules 1993(**f**) is amended in accordance with this paragraph.

(2) In rule 32.3 (diet of taxation)(**g**)—

(a) in paragraph (5)—

(i) for "4.00 pm", substitute "1600 hours";

(ii) for "fourth business", substitute "fifteenth";

(b) omit paragraph (9).

CJM SUTHERLAND
Lord President
I.P.D.

Edinburgh
6th November 2024

(**a**) Chapter 42 was last amended by S.S.I. 2023/165.
(**b**) The Rules of the Court of Session 1994 are in schedule 2 of the Act of Sederunt (Rules of the Court of Session 1994) 1994 (S.I. 1994/1443), last amended by S.S.I. 2024/196.
(**c**) Rule 42.2 was substituted by S.S.I. 2011/402 and amended by S.S.I. 2019/74.
(**d**) S.S.I. 2021/468, last amended by S.S.I. 2024/195.
(**e**) Chapter 32 was last amended by S.S.I. 2019/74.
(**f**) The Ordinary Cause Rules 1993 are in schedule 1 to the Sheriff Courts (Scotland) Act 1907 (c. 51). Schedule 1 was substituted by S.I. 1993/1956 and was last amended by S.S.I. 2023/168.
(**g**) Rule 32.3 was substituted by S.S.I. 2019/74.

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends the Rules of the Court of Session 1994, Sheriff Appeal Court Rules 2021 and Ordinary Cause Rules 1993. The timeframe for lodging objections prior to a diet of taxation is extended from three business days to 14 calendar days.

© Crown copyright 2024

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King's Printer for Scotland.

£5.78

http://www.legislation.gov.uk/id/ssi/2024/323

ISBN 978-0-11-106124-4

9 780111 061244