Draft Regulations laid before the Scottish Parliament under section 37(2) of the Legal Aid (Scotland) Act 1986, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2026 No.

LEGAL AID AND ADVICE

The Legal Aid and Advice and Assistance (Fees) (Miscellaneous Amendment) (Scotland) Regulations 2026

Made - - - - 2026

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 9(1) and (2)(e), 33(2), (3)(a), (b), (c) and (f) and (3A) and 36(1) and (2)(b) of the Legal Aid (Scotland) Act 1986(**a**) and all other powers enabling them to do so.

In accordance with section 37(2) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament(**b**).

Citation and commencement

1.—(1) These Regulations may be cited as the Legal Aid and Advice and Assistance (Fees) (Miscellaneous Amendment) (Scotland) Regulations 2026.

(2) Subject to paragraphs (3) and (4), these Regulations come into force on 1 June 2026.

(3) Regulations 3 to 8 and schedules 1 to 14 come into force on 1 September 2026.

(4) Regulation 11 and schedule 15 comes into force on 14 December 2026.

Application

2.—(1) These Regulations apply only in relation to fees for work done or outlays incurred on or after 1 September 2026, except in relation to regulations 6, 7(2), (3)(c) and (e) and 8 to 11.

(2) Regulations 6, 7(2), (3)(c) and (e) and 8 apply only in relation to a case where the grant of legal aid, advice and assistance or assistance by way of representation was made on or after 1 September 2026.

(3) Regulations 9 and 10 apply only in relation to a case where the grant of legal aid, advice and assistance or assistance by way of representation was made on or after 1 June 2026.

(**a**) 1986 c. 47. Section 33(2) was amended by section 67(7)(b) of the Legal Profession and Legal Aid (Scotland) Act 2007 (asp 5). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). Section 33(3A) was inserted by section 51 of the Crime and Punishment (Scotland) Act 1997 (c. 48). Section 36(2)(b) was amended by paragraph 6 of schedule 4 of the Legal Aid Act 1988 (c. 34) and section 23(9) of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 (asp 3).

(**b**) The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). The Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.

(4) Regulation 11 applies only in relation to a case where the grant of legal aid, advice and assistance or assistance by way of representation was made on or after 14 December 2026.

(5) For the purposes of paragraph (1), where work for a fee or fixed payment prescribed in schedules 1 to 15 is conducted over more than one date, the work is deemed to have been done on the day on which the work comes to an end.

Amendment of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

3.—(1) The Civil Legal Aid (Scotland) (Fees) Regulations 1989(**a**) are amended as follows.

(2) In regulation 5 (fees allowable to solicitors) in paragraph (2A), for "£26.30"(**b**) substitute "£29.72".

(3) In Part 1 of Chapter 3 of the table of fees in schedule 2 (undefended actions), for the first table of fees substitute the table in schedule 1 of these Regulations.

(4) In Part 2 of Chapter 3 of the table of fees in schedule 2 (defended actions), for the first table of fees substitute the table in schedule 2 of these Regulations.

(5) In Chapter 4 of the table of fees in schedule 2 (executry business), for the table of fees substitute the table in schedule 3 of these Regulations.

(6) In schedule 2A (fees allowable to solicitors for simple procedure cases and First-tier Tribunal for Scotland cases)(**c**), for the table of fees substitute the table in schedule 4 of these Regulations.

(7) In schedule 3 (table of detailed fees chargeable by solicitors for proceedings in the Court of Session and the sheriff court)(**d**), for the table of fees substitute the table in schedule 5 of these Regulations.

(8) In schedule 5 (table of detailed fees chargeable by solicitors for proceedings in the Court of Session, Sheriff Appeal Court, and Upper Tribunal for Scotland, proceedings listed at regulation 5(3) and proceedings in the sheriff court listed in schedule 7)(**e**), for the table of fees substitute the table in schedule 6 of these Regulations.

(9) In schedule 6 (table of fees chargeable by solicitors for proceedings in the sheriff court (except summary cause and executry proceedings and the proceedings listed in schedule 7) and in the Sheriff Appeal Court)—

(a) in Chapter 1 (sheriff court civil fees (undefended)) in the notes on the operation of Chapter 1 in paragraph 6, for "£9.12"(**f**) substitute "£10.31",

(b) in Chapter 2 (sheriff court civil fees (defended)) in the notes on the operation of Chapter 2 in paragraph 21, for "£9.12"(**g**) substitute "£10.31".

Amendment of the Criminal Legal Aid (Scotland) (Fees) Regulations 1989

4.—(1) The Criminal Legal Aid (Scotland) (Fees) Regulations 1989(**h**) are amended as follows.

(**a**) S.I. 1989/1490; relevant amending instruments are S.I. 1990/473, S.I. 1991/565, S.I. 1992/372, S.I. 1994/1015, S.I. 1995/1044, S.I. 1997/689, S.S.I. 2003/178, S.S.I. 2004/496, S.S.I. 2007/14, S.S.I. 2009/203, S.S.I. 2009/312, S.S.I. 2011/41, S.S.I. 2011/160, S.S.I. 2013/144, S.S.I. 2013/250, S.S.I. 2014/257, S.S.I. 2015/337, S.S.I. 2015/380, S.S.I. 2016/257, S.S.I. 2016/290, S.S.I. 2017/310 and S.S.I. 2019/78, S.S.I. 2020/191, S.S.I. 2021/56, S.S.I. 2022/30, S.S.I. 2023/178, S.S.I. 2023/135 and S.S.I. 2023/313.

(**b**) Paragraph (2A) was inserted by S.S.I. 2003/178 and this figure substituted by S.S.I. 2023/135.

(**c**) Schedule 2A was inserted by S.S.I. 2016/290 and amended by S.S.I. 2021/56.

(**d**) The table in schedule 3 was substituted by S.S.I. 2023/135.

(**e**) Schedule 5 was inserted by S.S.I. 2003/178 and renamed by S.S.I. 2016/257.

(**f**) This figure was substituted by S.S.I. 2023/135.

(**g**) Paragraph 21 was inserted by S.S.I. 2003/178 and this figure substituted by S.S.I. 2023/135.

(**h**) S.I. 1989/1491; relevant amending instruments are S.I. 1991/566, S.I. 1992/374, S.S.I. 2004/264, S.S.I. 2004/316, S.S.I. 2005/113, S.S.I. 2005/584, S.S.I. 2005/656, S.S.I. 2007/180, S.S.I. 2008/240, S.S.I. 2009/312, S.S.I. 2010/63, S.S.I. 2010/212, S.S.I. 2011/41, S.S.I. 2011/135, S.S.I. 2012/276, S.I. 2013/7, S.S.I. 2013/250, S.S.I. 2013/320, S.S.I. 2014/257, S.S.I. 2015/337, S.S.I. 2017/466, S.S.I. 2019/78, S.S.I. 2020/191, S.S.I. 2021/56, S.S.I. 2022/30, S.S.I. 2022/116 and S.S.I. 2023/135.

(2) In regulation 5(1) (fees allowable to solicitors: identification parades)(**a**)—

(a) in sub-paragraph (a)(i), for "£142.68" substitute "£161.23",

(b) in sub-paragraph (a)(ii), for "£15.88" substitute "£17.95",

(c) in sub-paragraph (b)(i), for "£117.41" substitute "£132.68",

(d) in sub-paragraph (b)(ii), for "£14.80" substitute "£16.73".

(3) In regulation 6 (duty solicitors' fees)(**b**)—

(a) in each of sub-paragraphs (a) and (b) of paragraph (1), for "£78.85" substitute "£89.11",

(b) in each of sub-paragraphs (a) and (b) of paragraph (1), for "£11.28" substitute "£12.75",

(c) in each of sub-paragraphs (aa) and (c) of paragraph (1) and in paragraph (2), for "£87.61" substitute "£99.00".

(4) In regulation 6(1)—

(a) for "£182" substitute "£205.66",

(b) for "£127" substitute "£143.51".

(5) In regulation 6(2), for "£276" substitute "£311.88".

(6) In regulation 6(2A) for "£88.16" substitute "£99.63".

(7) In regulation 6(3) for "£180" substitute "£203.40".

(8) In schedule 1 (fees of solicitors) in the notes on the operation of schedule 1 in paragraph 7(1)(**c**), for "£14.89" substitute "£16.83".

(9) In schedule 1 in the table of fees, for Part 1 (detailed fees) and Part 2 (inclusive fees for solemn first instance proceedings) substitute the tables in schedule 7 of these Regulations.

(10) In schedule 1A (fees of solicitors)(**d**) in the table of fees, for Part 1 (detailed fees) and Part 2 (fees for solemn first instance proceedings) substitute the tables in schedule 8 of these Regulations.

Amendment of the Legal Aid in Contempt of Court Proceedings (Scotland) (Fees) Regulations 1992

5. Schedule 1 (table of fees allowable to solicitors for legal aid made available under section 30 of the Legal Aid (Scotland) Act 1986 in connection with proceedings for contempt of court)(**e**) of the Legal Aid in Contempt of Court Proceedings (Scotland) (Fees) Regulations 1992(**f**) is amended as follows—

(a) in paragraph 1(a), for "£34.32" substitute "£38.79",

(b) in paragraph 1(b), for "£17.17" substitute "£19.41",

(c) in paragraph 2(a), for "£13.23" substitute "£14.95",

(d) in paragraph 2(b), for "£6.59" substitute "£7.45",

(e) in paragraph 3, for "£7.52" substitute "£8.50",

(f) in paragraph 4, for "£3.04" substitute "£3.44",

(g) in paragraph 4A(a)(**g**), for "£6.63" substitute "£7.50",

(h) in paragraph 4A(b), for "£3.31" substitute "£3.75",

(**a**) Regulation 5 was substituted by S.S.I. 2010/212 and amended by S.S.I. 2023/135.
(**b**) Figures in regulation 6 were substituted by S.S.I. 2023/135.
(**c**) Figure in paragraph 7 was substituted by S.S.I. 2023/135.
(**d**) Schedule 1A is to be prospectively amended by S.S.I. 2026/XXX including an amendment to paragraph 5 of Part 2 of the table of fees.
(**e**) Figures in paragraphs 1 to 4A of schedule 1 were substituted by S.S.I. 2023/135.
(**f**) S.I. 1992/1228; relevant amending instruments are S.I. 1997/718, S.S.I. 2011/41, S.S.I. 2013/250, S.S.I. 2014/257, S.S.I. 2019/78, S.S.I. 2021/56 and S.S.I. 2023/135.
(**g**) Paragraph 4A was inserted by S.S.I. 2011/41 and amended by S.S.I. 2023/135.

(i) in paragraph 5(b)(i), for "5 pence" substitute "£0.06",

(j) in paragraph 5(b)(ii), for "1 penny" substitute "£0.02".

Amendment of the Advice and Assistance (Financial Limit) (Scotland) Regulations 1993

6. Regulation 3 (financial limit) of the Advice and Assistance (Financial Limit) (Scotland) Regulations 1993(**a**) is amended as follows—

(a) in paragraph (a)(i), for "£180" substitute "£205",

(b) in paragraph (b)—

(i) in sub-paragraph (i), for "£135" substitute "£155",

(ii) in sub-paragraph (ii), for "£50" substitute "£60",

(iii) in sub-paragraph (iv), for "£135" substitute "£155",

(iv) in sub-paragraph (v), for "£550" substitute "£625",

(c) in paragraph (c)—

(i) in each of sub-paragraphs (i) and (ii), for "£115" substitute "£130",

(ii) in each of sub-paragraphs (iia), (xi), (xv), (xvi) and (xviii) for "£600" substitute "£680",

(iii) in sub-paragraph (iii), for "£50" substitute "£60",

(iv) in sub-paragraph (iv), for "£750" substitute "£850",

(v) in sub-paragraph (v), for "£500" substitute "£565",

(vi) in each of sub-paragraphs (vi), (vii) and (ix), for "£215" substitute "£245",

(vii) in sub-paragraph (viii), for "£290" substitute "£330",

(viii) in each of sub-paragraphs (x), (xv), (xvi) and (xviii), for "£250" substitute "£285",

(ix) in each of sub-paragraphs (xii), (xiii), (xiv), (xvia) and (xix), for "£385" substitute "£440",

(x) in sub-paragraph (xvii), for "£550"(**b**) substitute "£625".

Amendment of the Advice and Assistance (Scotland) Regulations 1996

7.—(1) The Advice and Assistance (Scotland) Regulations 1996(**c**) are amended as follows.

(2) In regulation 17(1B) (fees and outlays of solicitors: inclusive fee)(**d**), for "£572.00" substitute "£646.36".

(3) In schedule 3 (table of fees allowable to solicitors)—

(a) in Part 1 (table of fees allowable to solicitors for assistance by way of representation)(**e**)—

(i) in paragraph 1, for the table of fees substitute the table in schedule 9 of these Regulations,

(ii) in paragraph 3 (petition by debtor for sequestration)(**f**)—

(aa) in sub-paragraph (a), for "£41.51" substitute "£46.91", and

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(**a**) S.I. 1993/3187; relevant amending instruments are S.S.I. 2007/248, S.S.I. 2017/466, S.S.I. 2022/116 and S.S.I. 2023/135. Figures in regulation 3 were substituted by S.S.I. 2023/135 and prospectively amended by S.S.I. 2026/XXX, including to add regulation 3(b)(iv) and (v).

(**b**) Figure prospectively inserted by S.S.I. 2026/XXX.

(**c**) S.I. 1996/2447 (as renamed by S.I. 1997/726); relevant amending instruments are S.I. 1997/726, S.S.I. 2004/262, S.S.I. 2005/171, S.S.I. 2006/233, S.S.I. 2008/240, S.S.I. 2010/312, S.S.I. 2011/41, S.S.I. 2013/144, S.S.I. 2013/250, S.S.I. 2014/257, S.S.I. 2017/466, S.S.I. 2019/78, S.S.I. 2020/191, S.S.I. 2021/368, S.S.I. 2021/55, S.S.I. 2022/30, S.S.I. 2021/56 and S.S.I. 2023/135. Prospectively amended by S.S.I. 2026/XXX.

(**d**) Figure in regulation 17(1B) was substituted by S.S.I. 2023/135.

(**e**) Figures in the table of fees were substituted by S.S.I. 2023/135, and prospectively amended by S.S.I. 2026/XXX.

(**f**) Figures in paragraph 3 were substituted by S.S.I. 2023/135.

(bb) in sub-paragraph (b), for "£68.16" substitute "£77.03",

(b) in paragraph 1 of Part 2 (table of fees allowed to solicitors for advice and assistance other than assistance by way of representation)(**a**), for the table of fees substitute the table in schedule 10 of these Regulations,

(c) in Part 3 (table of fees allowed to solicitors for assistance by way of representation for proceedings under sections 19, 30 and 36(1)(a) of the Criminal Justice (Scotland) Act 2016)(**b**), for the table of fees substitute the table in schedule 11 of these Regulations,

(d) in Part 4 (table of fees allowed to solicitors for advice and assistance in relation to sections 32 and 44 of the Criminal Justice (Scotland) Act 2016)(**c**)—

(i) in paragraph 3 (standard rate), for "£93.87" substitute "£106.08",

(ii) in paragraph 3 (higher rate), for "£124.85" substitute "£141.09",

(iii) in paragraph 4(a) (standard rate), for "£143.93" substitute "£162.65",

(iv) in paragraph 4(a) (higher rate), for "£191.42" substitute "£216.31",

(v) in paragraph 4(b)(i) (standard rate), for "£250.29" substitute "£282.83",

(vi) in paragraph 4(b)(i) (higher rate), for "£332.89" substitute "£376.17",

(vii) in paragraph 4(b)(ii) (standard rate), for "£62.59" substitute "£70.73",

(viii) in paragraph 4(b)(ii) (higher rate), for "£83.24" substitute "£94.07",

(ix) in paragraph 5 (standard rate), for "£37.56" substitute "£42.45",

(x) in paragraph 5 (higher rate), for "£49.95" substitute "£56.45",

(xi) in paragraph 6 (standard rate), for "£14.53" in both places where it appears substitute "£16.42",

(xii) in paragraph 6 (higher rate), for "£19.33" in both places where it appears substitute "£21.85",

(e) in Part 5 (table of fees allowable to solicitors for assistance by way of representation for proceedings under schedule 8 of the Terrorism Act 2000)(**d**)—

(i) in paragraphs (a) and (c), for "£62.59" substitute "£70.73",

(ii) in paragraph (b), for "£93.87" substitute "£106.08",

(iii) in paragraph (d), for "£7.28" substitute "£8.23",

(f) in Part 6 (table of fees allowable to solicitors for advice and assistance in relation to section 41 and schedule 7 of the Terrorism Act 2000 and Part 1 of schedule 3 of the Counter-Terrorism and Border Security Act 2019)(**e**)—

(i) in paragraph 3(a) (standard rate), for "£143.93" substitute "£162.65",

(ii) in paragraph 3(a) (higher rate) for, "£191.42" substitute "£216.31",

(iii) in paragraph 3(b)(i) (standard rate), for "£250.29" substitute "£282.83",

(iv) in paragraph 3(b)(i) (higher rate), for "£332.89" substitute "£376.17",

(v) in paragraph 3(b)(ii) (standard rate), for "£62.59" substitute "£70.73",

(vi) in paragraph 3(b)(ii) (higher rate), for "£83.24" substitute "£94.07"

(vii) in paragraph 4 (standard rate), for "£37.56" substitute "£42.45",

(viii) in paragraph 4 (higher rate), for "£49.95" substitute "£56.45",

(ix) in paragraph 5 (standard rate), for "£14.53" in both places where it appears substitute "£16.42",

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(**a**) Figures in the table of fees were substituted by S.S.I. 2023/135.
(**b**) Figures in the table of fees were substituted by S.S.I. 2023/135.
(**c**) Figures in Part 4 were substituted by S.S.I. 2023/135.
(**d**) Part 5 was inserted by S.S.I. 2021/55 and amended by S.S.I. 2023/135.
(**e**) Part 6 was inserted by S.S.I. 2021/55 and amended by S.S.I. 2023/135.

(x) in paragraph 5 (higher rate), for "£19.33" in both places where it appears substitute "£21.85".

Amendment of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999

8.—(1) The Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999(**a**) are amended as follows.

(2) In regulation 4(9)(b) (fixed payments allowable to solicitors)(**b**), for "£113.56" substitute "£128.33".

(3) In schedule 1(**c**)—

(a) for the table of fees in Part 1 substitute the table in Part 1 of schedule 12 of these Regulations,

(b) for the table of fees in Part 2 substitute the table in Part 2 of schedule 12 of these Regulations.

(4) In schedule 1A(**d**) for the table of fees substitute the table in schedule 13 of these Regulations.

(5) In schedule 1B(**e**)—

(a) for the table of fees in Part 1 substitute the table in Part 1 of schedule 14 of these Regulations,

(b) for the table of fees in Part 2 substitute the table in Part 2 of schedule 14 of these Regulations.

Amendment of the Civil Legal Aid (Scotland) Regulations 2002

9. In each of paragraphs 7(ba) and (bb) of schedule 2 (rules for computing disposable income) of the Civil Legal Aid (Scotland) Regulations 2002(**f**), for "2024 Regulations" substitute "2025 Regulations".

Amendment of the Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) Regulations 2026

10. In regulation 6(4)(b) of the Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) Regulations 2026(**g**), in the inserted paragraph (1A), for "under regulation 3A" substitute "described in regulation 3A".

Amendment of the Criminal Legal Aid and Assistance by Way of Representation (Miscellaneous Amendment) (Scotland) Regulations 2026

11.—(1) The Criminal Legal Aid and Assistance by Way of Representation (Miscellaneous Amendment) (Scotland) Regulations 2026(**h**) are amended as follows.

(**a**) S.I. 1999/491; relevant amending instruments are S.S.I. 2001/307, S.S.I. 2002/247, S.S.I. 2003/249, S.S.I. 2004/51, S.S.I. 2004/126, S.S.I. 2004/263, S.S.I. 2005/93, S.S.I. 2006/234, S.S.I. 2008/240, S.S.I. 2010/237, S.S.I. 2011/162, S.S.I. 2014/366, S.S.I. 2015/337, S.S.I. 2017/466, S.S.I. 2019/78, S.S.I. 2020/191, S.S.I. 2021/56, S.S.I. 2022/30 and S.S.I. 2023/135.

(**b**) Figures were substituted by S.S.I. 2023/135.

(**c**) Figures in the table of fees were substituted by S.S.I. 2023/135.

(**d**) Figures in the table of fees were substituted by S.S.I. 2023/135.

(**e**) Figures in the table of fees were substituted by S.S.I. 2023/135. Schedule 1B will be prospectively repealed with effect from 14 December 2026 by S.S.I. 2026/XXX.

(**f**) S.S.I. 2002/494 was relevantly amended by S.S.I. 2024/178, S.S.I. 2024/216, S.S.I. 2024/31. Prospectively amended by S.S.I. 2026/XXX.

(**g**) S.S.I. 2026/XXX.

(**h**) S.S.I. 2026/XXX.

(2) At the end of regulation 5(3)(b) add "(notwithstanding the substitution of paragraph 1A by the Legal Aid and Advice and Assistance (Fees) (Miscellaneous Amendment) (Scotland) Regulations 2026)".

(3) After regulation 9(5)(c) insert—

"(ca) in paragraph (5)(c), for "schedule 1B"(**a**) substitute "schedule 3",".

(4) In the schedule (schedules 3 and 4 of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999), for schedules 3 and 4 substitute the schedules 3 and 4 set out in schedule 15 of these Regulations.

Name
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
Date

(**a**) Paragraph (5)(c) of the Criminal Legal Assistance (Fees and Information etc.) (Scotland) Regulations 2008 (S.S.I. 2008/240) was inserted by S.S.I. 2020/30.

SCHEDULE 1

Regulation 3(3)

Amendments to Part 1 of Chapter 3 of the table of fees in schedule 2 of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

Part 1 - Undefended Actions			
1.	The fee for citation, service or re-service after the first citation—		
	(a)	to any destination by post	£9.56
	(b)	by advertisement	£26.91
2.	The fee for attendance at court		£26.91
3.	The fee for all other work		£75.68

SCHEDULE 2

Regulation 3(4)

Amendments to Part 2 of Chapter 3 of the table of fees in schedule 2 of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

Part 2 - Defended Actions				
1.	The instruction fee—			
	(a)	for the pursuer's solicitor, including taking instructions, framing summons and statement of claim, obtaining warrant for service, enquiring for the form of response and noting defence		£114.79
	(b)	for the defender's solicitor, for all work from taking instructions (including instructions for a counter-claim) up to and including lodging the form of response		£114.79
2.	Where an additional defender or third party enters the cause, an additional fee for each of the original parties' solicitors for all consequent work			£57.45
3.	The fee for citation, service or re-service, except as provided for in paragraph 19(e), by—			
	(a)	post, to a destination—		
		(i)	within the United Kingdom, Isle of Man, Channel Islands or the Republic of Ireland	£9.56
		(ii)	other than one specified in paragraph (i)	£20.44
	(b)	sheriff officer, to include instructing sheriff officer, perusing execution of citation and settling sheriff officer's fee		£9.56
	(c)	advertisement, to include framing and instructing the advertisement		£29.88
4.	In connection with the first hearing of the cause—			
	(a)	the fee for attendance at court, including noting the outcome of the hearing		£99.25
	(b)	if waiting for and conducting the hearing exceeds an hour and a half, the fee for attendance at court for each subsequent half hour		£29.88
5.	The fee for attendance at court, except as specifically provided for elsewhere in this Chapter, per half hour			£29.88
6.	The fee for drawing precognitions, including instructions, attendances with witnesses and all relative meetings and correspondence, per sheet			£44.26
7.	The fee for perusing, revising and adjusting a report or precognition prepared by a skilled witness, per sheet			£22.14
8.	In connection with reports commissioned by order of Court, the fee for—			
	(a)	all incidental work, including instructing the report		£29.88
	(b)	each half hour perusing the report		£29.88
9.	The fee, per inventory, for—			
	(a)	lodging productions		£44.26
	(b)	perusing the opposition's productions		£20.44
10.	The fee for framing affidavits, per sheet			£22.14
11.	Except as provided for by paragraphs 17, 18 and 19 the fee for—			
	(a)	drawing, intimating and lodging any written minute or incidental application including any relative attendance at court, where that minute or application is—		
		(i)	opposed	£62.99
		(ii)	unopposed	£37.84

	(b)	considering a written minute or incidental application intimated by the opposition including any relative attendance at court, where that minute or application is—		
		(i)	opposed	£51.83
		(ii)	unopposed	£29.88
12.	In connection with a hearing to which paragraph 11 applies, if waiting for and conducting that hearing exceeds half an hour, the fee for attendance at court for each subsequent half hour			£29.88
13.	In connection with a proof the fee for all work, except as specifically provided for elsewhere in this Chapter, preparatory to—			
	(a)	the first scheduled proof, if—		
		(i)	the cause is settled or abandoned 7 or more days before the scheduled proof	£103.63
		(ii)	paragraph (i) does not apply	£124.40
	(b)	any adjourned proof, if the postponement from the hearing previously scheduled exceeds 6 days and—		
		(i)	the cause is settled or abandoned 7 or more days before the scheduled proof	£51.83
		(ii)	paragraph (i) does not apply	£62.21
14.	The fee for each half hour inspecting the opposition's documents either at court or at a place fixed by the opposition			£29.88
15.	In connection with a proof or a trial and debate on evidence taken at the close of proof, the fee for each half hour—			
	(a)	conducting that hearing		£29.88
	(b)	waiting in court for that hearing		£15.89
16.	In connection with a debate on evidence not taken at the close of proof, the fee for—			
	(a)	all preparatory work		£69.41
	(b)	attendance at court, per half hour		£29.88
17.	In connection with a minute of judicial tender—			
	(a)	the fee for consideration of, preparing and lodging the minute		£62.99
	(b)	on acceptance of the tender, the fee for consideration of, preparing and lodging the minute of acceptance and attendance at court when decree is granted in terms of that minute		£44.26
	(c)	on rejection of the tender, the fee for considering it		£44.26
18.	The fee for each party where the case is settled extra-judicially, including all relative negotiations, framing or revising the joint minute and attendance at court when authority is interponed thereto			£103.63
19.	In connection with an incidental application for commission and diligence to recover documents or an order under section 1 of the Administration of Justice (Scotland) Act 1972(**a**), the fee for—			
	(a)	drawing, intimating and lodging the application and, where relevant, specification and any relative attendance at court, where the application is—		
		(i)	opposed	£69.25
		(ii)	unopposed	£37.84
	(b)	considering the application and, where relevant, specification intimated by the opposition and any relative attendance at court, where the application is—		
		(i)	opposed	£51.83

(**a**) 1972 c. 59. Section 1 was amended by section 19 and paragraph 15 of schedule 2 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73).

		(ii)	unopposed	£29.88
	(c)	each subsequent half hour, where attendance at court exceeds half an hour		£29.88
	(d)	citing havers and preparing for and appearing before the commissioner or sheriff at the execution of the commission, per half hour		£29.88
	(e)	serving an order on each person, if optional procedure is adopted		£20.44
	(f)	each half hour perusing the documents recovered		£29.88
20.	In connection with an open commission to take evidence, the fee for—			
	(a)	all work, excluding attendance at the commission, by the—		
		(i)	solicitor applying for the commission	£69.41
		(ii)	opposing solicitor	£29.88
	(b)	each half hour attending the execution of the commission		£29.88
21.	At the conclusion of the cause, the fee for—			
	(a)	settling with witnesses and noting the final decree		£62.99
	(b)	the successful party to cover drawing the account of expenses, arranging, intimating and attending a diet of taxation and obtaining approval of the auditor's report and, where necessary, ordering, procuring and examining extract decree or adjusting account with opponent		£62.99
	(c)	the unsuccessful party to cover considering the opponent's account of expenses and, where necessary, adjusting the account with opponent or attending a diet of taxation		£29.88

SCHEDULE 3

Regulation 3(5)

Amendments to Chapter 4 of the table of fees in schedule 2 of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

1. Petition for decree dative	
Inclusive fee for taking instructions to present petition, drawing petition and making necessary copies, lodging and directing publication, attendance at court, moving for decree-dative, extracting decree where necessary and all matters incidental to petition	£47.69
2. Restriction of Caution	
Inclusive fee for taking instructions to prepare petition, drawing petition and making necessary copies, lodging, instructing advertisement and all matters incidental to petition	£47.69
3. Fees for other work shall be chargeable according to schedule 3	

SCHEDULE 4

Regulation 3(6)

Amendments to schedule 2A of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

1.	The fee for—		
	(a)	any time up to the first half hour spent by a solicitor conducting a proof or hearing	£46.91
	(b)	each quarter hour (or part thereof) subsequent to the first half hour	£23.50
2.	The fee for—		
	(a)	each quarter hour (or part thereof) spent by a solicitor in carrying out work other than that prescribed in paragraphs 1 and 3 to 7 of this table, provided that any time is additional to the total time charged for under paragraph 1	£18.05
	(b)	each quarter hour (or part thereof) spent by a solicitor's clerk in carrying out work other than that prescribed in paragraphs 3 to 7 of this table	£9.01
3.	The fee for framing affidavits – per sheet (or part thereof)		£14.83
4.	The fee for—		
	(a)	framing and drawing all necessary papers, other than affidavits or papers of a formal character – per sheet (or part thereof)	
	(b)	each citation of a party, witness or haver including execution thereof	
	(c)	instructing sheriff officers, including examining execution and settling fee	
	(d)	agency accepting service of any writ	
	(e)	lodging first step of process	
	(f)	lengthy telephone calls (of over 4 minutes and up to 10 minutes duration)	
	(g)	letters, including instructions to counsel – per page (or part thereof), subject to paragraph 5(f) below	
	(h)	perusing any document (other than a letter) consisting of not more than 12 sheets – for the first 2 sheets and each 2 sheets thereafter	
	Note: Where the document perused consists of more than 12 sheets the fee for perusing the whole document shall be charged in accordance with paragraph 2 above		
	in each of sub-paragraphs (a) to (h).		£10.29
5.	The fee for—		
	(a)	attendance at court or First-tier Tribunal for Scotland offices for performance of formal work including making up process and each necessary lodging in (other than first step) uplifting from or borrowing of process (to include return of same) or enquiry for documents due to be lodged	
	(b)	revising papers drawn by counsel, where ordered or necessary – per 5 sheets (or part thereof)	
	(c)	framing formal papers such as inventories, title pages and accounts of expenses per sheet (or part thereof)	
	(d)	certifying or signing a document	

	(e)	short telephone calls (of up to 4 minutes duration)		
	(f)	short letters of a formal nature, intimations, and letters confirming telephone calls		
	in each of sub-paragraphs (a) to (f)			£4.12
6.	The fee for each quarter of an hour (or part thereof) spent travelling—			
	(a)	by a solicitor		£9.06
	(b)	by a solicitor's clerk		£4.54
7.	(a)	There is no fee for photocopying—		
		(i)	where fewer than 20 sheets are copied at any one time	
		(ii)	in relation to the first 20 sheets copied at any one time	
	(b)	Subject to sub-paragraph (a), the fee for all photocopying in relation to proceedings is—		
		(i)	for each sheet copied for up to 10,000 sheets	£0.06
		(ii)	for each sheet copied in addition to the first 10,000 sheets	£0.02

SCHEDULE 5

Regulation 3(7)

Amendments to schedule 3 of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

1.	The fee for—		
	(a)	any time up to the first half hour spent by a solicitor conducting a proof or hearing	£39.91
	(b)	each quarter hour (or part thereof) subsequent to the first half hour	£19.97
2.	The fee for—		
	(a)	each quarter hour (or part thereof) spent by a solicitor in carrying out work other than that prescribed in paragraphs 1 and 3 to 6 of this table, provided that any time is additional to the total time charged for under paragraph 1	£15.44
	(b)	each quarter hour (or part thereof) spent by a solicitor's clerk in carrying out work other than that prescribed in paragraphs 3 to 6 of this table	£7.66
3.	The fee for framing affidavits – per sheet (or part thereof)		£13.11
4.	The fee for—		
	(a)	framing and drawing all necessary papers, other than affidavits or papers of a formal character	
	(b)	each citation of a party, witness or haver including execution thereof	
	(c)	instructing messengers-at-arms and sheriff officers, including examining execution and settling fee	
	(d)	agency accepting service of any writ	
	(e)	lodging first step of process	
	(f)	lengthy telephone calls (of over 4 minutes and up to 10 minutes duration)	
	(g)	letters, including instructions to counsel - per page (or part thereof), subject to paragraph 5(f) below	
	(h)	perusing any document (other than a letter) consisting of not more than 12 sheets - for the first 2 sheets and each 2 sheets thereafter	
	Note: Where the document perused consists of more than 12 sheets the fee for perusing the whole document shall be charged in accordance with paragraph 2 above		
	in each of sub-paragraphs (a) to (h)		£8.79
5.	The fee for—		
	(a)	attendance at court offices for carrying out formal work including making up process and each necessary lodging in (other than first step), uplifting from or borrowing of process (to include return of same) or enquiry for documents due to be lodged	
	(b)	revising papers drawn by counsel, open and closed records etc. or where revisal ordered – per 5 sheets (or part thereof)	
	(c)	framing formal papers such as inventories, title pages and accounts of expenses per sheet (or part thereof)	
	(d)	certifying or signing a document	
	(e)	short telephone calls (of up to 4 minutes duration)	
	(f)	short letters of a formal nature, intimations, and letters confirming telephone calls	
	in each of sub-paragraphs (a) to (f)		£3.50

5A.	The fee for each quarter hour (or part thereof) spent travelling—		
	(a)	by a solicitor	£7.60
	(b)	by a solicitor's clerk	£3.85
6.	Where a document is copied and it is necessary to take a copy of more than 20 sheets (whether 20 of 1 sheet, 5 of 4 sheets or whatever), for each sheet copied a fee of		£0.10

SCHEDULE 6

Regulation 3(8)

Amendments to schedule 5 of the Civil Legal Aid (Scotland) (Fees) Regulations 1989

1.	The fee for—		
	(a)	any time up to the first half hour spent by a solicitor conducting a proof or hearing	£53.17
	(b)	each quarter hour (or part thereof) subsequent to the first half hour	£26.59
2.	The fee for—		
	(a)	each quarter hour (or part thereof) spent by a solicitor in carrying out work other than that prescribed in paragraphs 1 and 3 to 6 of this table, provided that any time is additional to the total time charged for under paragraph 1	£20.57
	(b)	each quarter hour (or part thereof) spent by a solicitor's clerk in carrying out work other than that prescribed in paragraphs 3 to 6 of this table	£10.17
3.	The fee for—		
	framing affidavits – per sheet (or part thereof)		£17.43
4.	The fee for—		
	(a)	framing and drawing all necessary papers, other than affidavits or papers of a formal character – per sheet (or part thereof)	
	(b)	each citation of a party, witness or haver including execution thereof	
	(c)	instructing messengers-at-arms and sheriff officers, including examining execution and settling fee	
	(d)	agency accepting service of any writ	
	(e)	lodging first step of process	
	(f)	lengthy telephone calls (of over 4 minutes and up to 10 minutes duration)	
	(g)	letters, including instructions to counsel – per page (or part thereof), subject to paragraph 5(f) below	
	(h)	perusing any document (other than a letter) consisting of not more than 12 sheets – for the first 2 sheets and each 2 sheets thereafter—	
	Note: Where the document perused consists of more than 12 sheets the fee for perusing the whole document shall be charged in accordance with paragraph 2 above		
	in each of sub-paragraphs (a) to (h)		£11.75
5.	The fee for—		
	(a)	attendance at court offices for performance of formal work including making up process and each necessary lodging in (other than first step) uplifting from or borrowing of process (to include return of same) or enquiry for documents due to be lodged	
	(b)	revising papers drawn by counsel, open and closed records etc. or where revisal ordered – per 5 sheets (or part thereof)	

	(c)	framing formal papers such as inventories, title pages and accounts of expenses per sheet (or part thereof)		
	(d)	certifying or signing a document		
	(e)	short telephone calls (of up to 4 minutes duration)		
	(f)	short letters of a formal nature, intimations, and letters confirming telephone calls		
	in each of sub-paragraphs (a) to (f)			£4.63
5A.	The fee for each quarter of an hour (or part thereof) spent travelling—			
	(a)	by a solicitor		£10.31
	(b)	by a solicitor's clerk		£5.10
6.	(a)	There is no fee for photocopying—		
		(i)	where fewer than 20 sheets are copied at any one time	
		(ii)	in relation to the first 20 sheets copied at any one time	
	(b)	Subject to sub-paragraph (a), the fee for all photocopying in relation to proceedings is—		
		(i)	for each sheet copied for up to 10,000 sheets	£0.06
		(ii)	for each sheet copied in addition to the first 10,000 sheets	£0.02

SCHEDULE 7

Regulation 4(9)

Amendments to schedule 1 of the Criminal Legal Aid (Scotland) (Fees) Regulations 1989

PART 1

DETAILED FEES

				Summary Procedure	**Solemn Procedure**
1.	In connection with the conduct of a hearing—				
	(a)	in summary proceedings, the fee for—			
		(i)	any time up to the first half hour spent by a solicitor conducting the hearing	£38.79	
		(ii)	each quarter hour spent, subsequent to the first half hour, conducting the hearing	£19.41	
	(b)	in solemn proceedings, the fee for each quarter of an hour spent by a solicitor conducting the hearing			£24.28
1A.	Supplementary fee, payable in addition to the fee under paragraph 1, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint or attend a first examination.			£99.63	£99.63
2.	The fee for any of the following—			£8.50	£9.24
	(a)	each citation of a witness, including execution			
	(b)	framing and drawing necessary papers other than those referred to in paragraph 3(c)			
	(c)	instructing messengers at arms and sheriff officers, including examining execution and settling fee			
	(d)	lengthy telephone calls (of over 4 and up to 10 minutes' duration), subject to paragraph 4(b)(iii)			
	(e)	letters, including instructions to counsel, per page (or part thereof), subject to paragraph 3(b).			
3.	The fee for any of the following—			£3.44	£3.68
	(a)	attendance at court offices for performance of formal work including each necessary lodging in or uplifting from court or each necessary inquiry for documents due to be lodged			
	(b)	short formal letters, letters of acknowledgement, letters each having a similar nature, intimations and letters confirming telephone calls			
	(c)	framing formal papers, including inventories and title pages, per sheet (or part thereof)			
	(d)	revising papers drawn by counsel or where revisal ordered by court, per 5 sheets (or part thereof)			
	(e)	subject to paragraph 4(b)(iii), short telephone calls (of up to 4 minutes' duration) and telephone calls (of any duration) where the intended recipient is not reached or			

		insufficient narrative is provided in the account to ascertain the duration of the call.			
4.	In connection with taking a precognition in relation to solemn proceedings—				
	(a)	subject to paragraph 7 of the notes on the operation of schedule 1, the fee for each hour (or part thereof) spent—			
		(i)	travelling		£15.34
		(ii)	taking a statement		£15.34
	(b)	the fee for—			
		(i)	framing the precognition, per sheet		£3.23
		(ii)	each letter making arrangements for taking a statement		£1.95
		(iii)	a telephone call, of any duration		£1.28
5.	There is no fee for photocopying—				
	(a)	where fewer than 20 sheets are copied at any one time			
	(b)	in relation to the first 20 sheets copied at any one time.			
	Subject to sub-paragraph (a), the fee for photocopying in relation to the proceedings is—				
	(a)	for each sheet copied for up to 10,000 sheets		£0.06	£0.06
	(b)	for each sheet copied in addition to the first 10,000 sheets		£0.02	£0.02
5A.	The fee for each quarter of an hour spent travelling—				
	(a)	by a solicitor		£7.50	£8.12
	(b)	by a solicitor's clerk		£3.75	£4.07
6.	The fee for each quarter of an hour spent carrying out work other than that prescribed in the preceding paragraphs—				
	(a)	by a solicitor, provided the time is additional to the total time charged for under paragraph 1		£14.95	£16.19
	(b)	by a solicitor's clerk		£7.45	£8.12

PART 2

INCLUSIVE FEES FOR SOLEMN FIRST INSTANCE PROCEEDINGS

	Column A	**Column B**	**Column C**
1. The fee for all work from the taking of initial instructions up until the client is admitted to bail or committed until liberated in due course of law, where—			
(a) at the first examination the client is either—			
(i) not committed for further examination or	£201.50	£176.32	£75.58
(ii) committed for further examination and admitted to bail.			
(b) at the first examination the client is committed for further examination and not admitted to bail.	£302.25	£277.07	£176.32
2. The fee for all work preparing for a bail appeal hearing including any continued diet and, where	£75.58	£75.58	£75.58

necessary, instructing Edinburgh agents			
3. The fee for arranging and attending all meetings, including consultations, in prison with the client after full committal for trial up to the conclusion of the case	£579.29	£402.99	£201.50
4. The fee for preparation, including citing and settling with witnesses, perusing evidence and preparing lines of enquiry and submissions but excluding relative consultations, in respect of–			
(a) the first day of trial	£528.91	£377.81	£201.50
(b) a subsequent day of trial	£201.50	£151.14	£50.39
4A. The fee for preparation for	£50.39	£50.39	£50.39
(a) a hearing under section 76 of the 1995 Act(**a**) (procedure where accused decides to plead guilty)			
(b) a hearing on a plea in bar of trial			
(c) a hearing raising a preliminary issue, where the preliminary issue would have the effect of excusing the accused person from trial and no other fee is prescribed for this preparation.			
5. The fee for all work in connection with post conviction discussions, advice and representation including advising and giving an opinion on the prospects of any appeal	£234.65	£234.65	£133.91
6. Unless dealt with in the course of the preliminary hearing or a first diet, the fee for all work in connection with any of the following:–	£201.50	£201.50	£201.50
(a) a devolution issue, in terms of Schedule 6 of the Scotland Act 1998			
(ab) a compatibility issue in terms of section 288ZA(**b**) of the 1995 Act			
(b) a vulnerable witnesses application, in terms of section 271A, B, C or D of the 1995 Act			
(c) a specification of documents			
(d) a precognition on oath			
(e) an evidence on commission			
(f) an application to lead evidence relating to sexual offences under section 275(1) of the 1995 Act			
(g) a proof in mitigation			
(h) an examination of facts.			

(**a**) The Criminal Procedure (Scotland) Act 1995 (c. 46).
(**b**) Section 288ZA was inserted by section 34(3) of the Scotland Act 2012 (c. 11).

SCHEDULE 8

Regulation 4(10)

Amendments to schedule 1A of the Criminal Legal Aid (Scotland) (Fees) Regulations 1989

PART 1

DETAILED FEES

				Summary Procedure	**Solemn Procedure**
1.	In connection with the conduct of a hearing—				
	(a)	in summary proceedings, the fee for—			
		(i)	any time up to the first half hour spent by a solicitor conducting the hearing	£38.79	
		(ii)	each quarter hour spent, subsequent to the first half hour, conducting the hearing	£19.41	
	(b)	in solemn proceedings, the fee for each quarter of an hour spent by a solicitor conducting the hearing			£24.28
2.	Supplementary fee, payable in addition to the fee under paragraph 1, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint or attend a first examination			£99.63	£99.63
3.	The fee for any of the following—			£8.50	£9.24
	(a)	each citation of a witness, including execution,			
	(b)	framing and drawing necessary papers other than those referred to in paragraph 4(c)			
	(c)	instructing messengers at arms and sheriff officers, including examining execution and settling fee			
	(d)	lengthy telephone calls (of over 4 and up to 10 minutes' duration), subject to paragraph 5(b)(iii)			
	(e)	letters, including instructions to counsel, per page (or part thereof), subject to paragraph 4(b).			
4.	The fee for any of the following—			£3.44	£3.68
	(a)	attendance at court offices for performance of formal work including each necessary lodging in or uplifting from court or each necessary inquiry for documents due to be lodged			
	(b)	short formal letters, letters of acknowledgement, letters each having a similar nature, intimations and letters confirming telephone calls			
	(c)	framing formal papers, including inventories and title pages, per sheet (or part thereof)			
	(d)	revising papers drawn by counsel or where revisal ordered by court, per 5 sheets (or part thereof)			
	(e)	subject to paragraph 5(b)(iii), short telephone calls (of up to 4 minutes' duration) and telephone calls (of any duration) where the intended recipient is not reached or insufficient narrative is provided in the account to ascertain the duration of the call.			

5.	In connection with taking a precognition in relation to solemn proceedings—				
	(a)	subject to paragraph 19 of the notes on the operation of schedule 1A, the fee for each hour (or part thereof) spent—			
		(i)	travelling		£15.34
		(ii)	taking a statement		£15.34
	(b)	the fee for—			
		(i)	framing the precognition, per sheet		£3.23
		(ii)	each letter making arrangements for taking a statement		£1.95
		(iii)	a telephone call, of any duration		£1.28
6.	Subject to paragraph 7, the fee for photocopying in relation to the proceedings is—				
	(a)	for each sheet copied for up to 10,000 sheets		£0.06	£0.06
	(b)	for each sheet copied in addition to the first 10,000 sheets		£0.02	£0.02
7.	There is no fee for photocopying—				
	(a)	where fewer than 20 sheets are copied at any one time			
	(b)	in relation to the first 20 sheets copied at any one time.			
8.	The fee for each quarter of an hour spent travelling—				
	(a)	by a solicitor		£7.50	£8.12
	(b)	by a solicitor's clerk		£3.75	£4.07
9.	The fee for each quarter of an hour spent carrying out work other than that prescribed in the preceding paragraphs—				
	(a)	by a solicitor, provided the time is additional to the total time charged for under paragraph 1		£14.95	£16.19
	(b)	by a solicitor's clerk		£7.45	£8.12

PART 2

FEES FOR SOLEMN FIRST INSTANCE PROCEEDINGS

	Column A	**Column B**	**Column C**
1. The fee for all work except where prescribed in paragraph 2 or in paragraphs 6 to10, from the taking of initial instructions up until the client is admitted to bail or committed until liberated in due course of law—			
(a) where at the first examination the client is either— (i) not committed for further examination, or (ii) committed for further examination and admitted to bail	£201.50	£176.32	£75.58
(b) in any other case	£302.25	£277.07	£176.32

2. The fee for all work in connection with a bail appeal hearing including any continued diet and, where necessary, instructing Edinburgh agents	£75.58	£75.58	£75.58
3. The fee for all forms of communications in the case including meetings, consultations, letters, telephone calls, etc. from the conclusion of the work in paragraph 1 up to and including the commencement of any work for which a fee is payable in accordance with paragraph 6	£898.25	£641.61	£256.65
4. Perusal fee. Fee payable for any perusal not included in a fee claimed and payable under paragraph 5—			
(a) for the first 250 sheets of documentation where separately chargeable, and each subsequent 250 sheets	£256.65	£256.65	£256.65
(b) for each 250 minutes of recorded video or audio material, where separately chargeable	£256.65	£256.65	£256.65
(c) for each 250 minutes of other material, where separately chargeable	£256.65	£256.65	£256.65
5. Preparation fee. Except where a separate fee is otherwise prescribed, the fee for all other work in the case from the conclusion of the work in paragraph 1, including perusal work (in respect of which see paragraph 12 of the notes on the operation of this Schedule), where—			
(a) (i) the case proceeds to trial including where the court discharges a trial diet and appoints an earlier date in accordance with section 75A(5) of the 1995 Act (ii) on or after the day fixed for trial, the Crown withdraws any libel against the client, or (iii) a lesser plea is accepted by the Crown on the day the case has been brought to trial	£1,533.71	£1,277.06	£1, 020.43
(b) the case is disposed of by a plea of guilty accepted at any diet prior to an appointed trial diet, including a diet arranged in accordance with section 76 of the 1995 Act	£1,604.02	£1,604.02	£1,283.21
(c) the case is disposed of by any other means	£699.36	£587.09	£410.64
6. The fee for all work in connection with post-conviction discussions, including advising and giving an opinion on the prospects of any appeal	£234.65	£234.65	£133.91
7. The fee for each quarter of an hour spent by a solicitor conducting the hearing	£26.51	£26.51	£26.51
8. Supplementary fee, payable in addition to the fee under paragraph 7, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint or attend a first examination	£99.63	£99.63	£99.63

9. The fee, where counsel conducts the hearing, for each quarter of an hour spent by—			
(a) a solicitor	£17.51	£17.51	£17.51
(b) a solicitor's clerk	£8.12	£8.12	£8.12
10. The fee for each quarter of an hour spent waiting at court—			
(a) by a solicitor	£16.19	£16.19	£16.19
(b) by a solicitor's clerk	£8.12	£8.12	£8.12
11. The fee for each quarter of an hour spent travelling—			
(a) by a solicitor	£8.12	£8.12	£8.12
(b) by a solicitor's clerk	£4.07	£4.07	£4.07

SCHEDULE 9

Regulation 7(3)(a)(i)

Amendments to Part 1 of schedule 3 of the Advice and Assistance (Scotland) Regulations 1996

			Criminal	Civil	Children's
1. The fee for—					
	(i)	any time up to the first half hour spent by a solicitor appearing in court or conducting another hearing	£38.79	£46.91	£46.91
	(ii)	each quarter hour (or part thereof) subsequent to the first half hour spent in court or conducting another hearing.	£19.41	£23.50	£23.50
1A.	Supplementary fee, payable in addition to the fee under paragraph 1, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint or attend a first examination.		£99.63		
2. The fee for—					
	(i)	each quarter hour (or part thereof) spent by a solicitor in carrying out work other than that prescribed in paragraphs 1 and 3 to 5 of this table, provided that any time is additional to the total time charged for under paragraph 1.	£14.95	£18.05	£18.05
	(ii)	for each quarter hour (or part thereof) spent by a solicitor's clerk in carrying out work other than that prescribed in paragraphs 3 to 5 of this table.	£7.45	£9.01	£9.01
3. The fee for—			£8.50	£10.29	£10.29
	(i)	each citation of a witness including execution thereof			
	(ii)	framing and drawing precognitions and other necessary papers, subject to paragraph 4(iii) below - per sheet (or part thereof)			
	(iii)	instructing messengers-at-arms and sheriff officers, including examining execution and settling fee			
	(iv)	lengthy telephone calls (of over 4 and up to 10 minutes duration)			
	(v)	letters, including instructions to counsel, subject to paragraph 4(ii) below – per page (or part thereof).			
4. The fee for—			£3.44	£4.12	£4.12
	(i)	attendance at court offices for performance of formal work including each necessary lodging in or uplifting from court or each necessary enquiry for documents due to be lodged			
	(ii)	short letters of a formal nature,			

		intimations and letters confirming telephone calls			
	(iii)	framing formal papers, including inventories and title pages - per sheet (or part thereof)			
	(iv)	revising papers drawn by counsel or where revisal ordered by court – per 5 sheets (or part thereof)			
	(v)	short telephone calls (of up to 4 minutes duration).			
4A. The fee for each quarter of an hour (or part thereof) spent travelling—					
(a)	by a solicitor		£7.50	£9.06	£9.06
(b)	by a solicitor's clerk.		£3.75	£4.54	£4.54
5.					
(a) There is no fee for photocopying—					
	(i)	where fewer than 20 sheets are copied at one time			
	(ii)	in relation to the first 20 sheets copied at any one time.			
(b)	Subject to sub-paragraph (a), the fee for all photocopying in the matter in relation to which assistance by way of representation was given is—				
	(i)	6 pence for each sheet copied for up to 10,000 sheets			
	(ii)	2 pence per sheet for each sheet copied in addition to the first 10,000 sheets.			

SCHEDULE 10

Regulation 7(3)(b)

Amendments to Part 2 of schedule 3 of the Advice and Assistance (Scotland) Regulations 1996

				Criminal	**Civil**	**Children**
A.	Time occupied in carrying out work for the client other than work described in paragraphs B to E below—					
	(i)	Solicitor – per quarter hour (or part thereof)		£16.42	£18.05	£18.05
	(ii)	Solicitor's clerk – per quarter hour (or part thereof).		£8.20	£9.01	£9.01
B.	For short letters of a formal nature, short telephone calls (of up to 4 minutes duration), framing formal documents such as inventories and engrossing formal documents for signature – per sheet (or part thereof).			£3.76	£4.12	£4.12
C.	For letters other than B above – per page (or part thereof), framing non-formal documents other than precognitions – per sheet of 250 words (or part thereof) and lengthy telephone calls (of over 4 and up to 10 minutes duration).			£9.35	£10.29	£10.29
D.	For taking and drawing precognitions – for the first sheet of 250 words or less.			£32.77	£36.09	£36.09
	for each subsequent sheet of 250 words.			£32.77	£36.09	£36.09
	for each subsequent sheet of less than 250 words.			£16.42	£18.05	£18.05
DA.	The fee for each quarter of an hour (or part thereof) spent travelling—					
	(a)	by a solicitor		£8.23	£9.06	£9.06
	(b)	by a solicitor's clerk.		£4.11	£4.54	£4.54
E.	(a)	There is no fee for photocopying—				
		(i)	where fewer than 20 sheets are copied at one time			
		(ii)	in relation to the first 20 sheets copied at any one time.			
	(b)	Subject to sub-paragraph (a), the fee for all photocopying in the matter is—				
		(i)	6 pence for each sheet copied for up to 10,000 sheets			
		(ii)	2 pence per sheet for each sheet copied in addition to the first 10,000 sheets.			

SCHEDULE 11

Regulation 7(3)(c)

Amendments to Part 3 of schedule 3 of the Advice and Assistance (Scotland) Regulations 1996

A reference in this Table of Fees to a section is a reference to a section of the Criminal Justice (Scotland) Act 2016(**a**).		
1.	Section 19 – *Application for review of conditions of investigative liberation*	
(a)	Inclusive fee, excluding travel, for all work where matter does not proceed to a court hearing	£70.73
(b)	Inclusive fee, excluding travel, for all work where matter proceeds to a court hearing	£106.08
(c)	Additional fee, excluding travel, for second or subsequent court hearing, per hearing	£70.73
(d)	Fee for time necessarily spent travelling to and from court, where the court is not in a town or place where the solicitor has a place of business, per quarter hour.	£8.23
2.	Section 30 – *Application for review of undertaking conditions*	
(a)	Inclusive fee, excluding travel, for all work where matter does not proceed to a court hearing.	£70.73
(b)	Inclusive fee, excluding travel, for all work where matter proceeds to a court hearing.	£106.08
(c)	Additional fee, excluding travel, for second or subsequent court hearing, per hearing.	£70.73
(d)	Fee for time necessarily spent travelling to and from court, where the court is not in a town or place where the solicitor has a place of business, per quarter hour.	£8.23
3.	Section 36(1)(a) – *Application for authorisation for questioning by a prosecutor*	
(a)	Inclusive fee, excluding travel, for all work where matter does not proceed to a court hearing.	£70.73
(b)	Inclusive fee, excluding travel, for all work where matter proceeds to a court hearing.	£106.08
(c)	Additional fee, excluding travel, for second or subsequent court hearing, per hearing.	£70.73
(d)	Fee for time necessarily spent travelling to and from court, where the court is not in a town or place where the solicitor has a place of business, per quarter hour.	£8.23

(**a**) 2016 asp 1, to which there are amendments not relevant to these Regulations.

SCHEDULE 12

Regulation 8(3)

Amendments to schedule 1 of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999

PART 1

<table>
<tr><td colspan="2"></td><td>Where professional services are provided in relation to proceedings in the JP Court</td><td>Where professional services are provided in relation to proceedings in the sheriff court (other than proceedings in a Court specified in schedule 2)</td><td>Where professional services are provided in relation to proceedings in the sheriff court and those proceedings are brought in a Court specified in schedule 2</td></tr>
<tr><td colspan="2">1. All work up to and including:</td><td rowspan="6">£393.15 or

£361.06 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 below.</td><td rowspan="6">£646.36 or

£614.27 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 below.</td><td rowspan="6">£710.54 or

£678.45 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 below.</td></tr>
<tr><td>(i)</td><td>any diet at which a plea of guilty is made and accepted or plea in mitigation is made</td></tr>
<tr><td>(ii)</td><td>the first 30 minutes of conducting a proof in mitigation, or a proof of a victim statement, other than in the circumstances where paragraph 2 below applies</td></tr>
<tr><td>(iii)</td><td>the first 30 minutes of conducting any trial</td></tr>
<tr><td>(iiia)</td><td>a first or second diet of deferred sentence</td></tr>
<tr><td>(iv)</td><td>advising, giving an opinion and taking final instructions on the prospects of an appeal against conviction, sentence, other disposal or acquittal,</td></tr>
<tr><td colspan="2">together with any subsequent or additional work other than that specified in paragraphs 2 to 10 below.</td><td></td><td></td><td></td></tr>
<tr><td colspan="2">2. All work done in connection with a grant of legal aid under section 23(1)(b) of the Act including the first 30 minutes of conducting a proof in mitigation, or a proof of a victim statement.</td><td>£32.10</td><td>£64.18</td><td>£64.18</td></tr>
<tr><td colspan="2">3. Conducting a trial or proof in</td><td>£96.27</td><td>£128.33</td><td>£128.33</td></tr>
</table>

mitigation for the first day (after the first 30 minutes).				
4. Conducting a trial or proof in mitigation for the second and each subsequent day		£256.65	£384.97	£384.97
5. Conducting a proof of a victim statement: (i) where there has been no trial or proof in mitigation for the first day (after the first 30 minute), and thereafter for subsequent days (per day), or (ii) at a contiuned diet following a concluded trial or proof in mitigation (per day).			£384.97	£384.97
6. Representation at a third or subsequent diet of deferred sentence.		£32.10	£64.18	£64.18
7. Representation at a first or second diet of deferred sentence (one only) at which the court considers a report required under section 203 of the 1995 Act and where the case is disposed of (as an additional payment).		£32.10	£32.10	£32.10
8. All work done where the accused is in custody and has tendered a plea of not guilty until determination for the application for legal aid.		£32.10	£32.10	£32.10
9. All work done by virtue of section 24(7) of the Act until determination of the application for legal aid.		£32.10	£32.10	£32.10
10. All work done in connection with:				
(a)	a bail appeal under section 32 of the 1995 Act, or an appeal under section 201(4) of the 1995 Act, other than under sub-paragraph (b) below	£64.18	£64.18	£64.18
(b)	representation in an appeal of either type specified in (a), or a continued diet of such an appeal, where counsel not employed (fee for appearance)	£38.52	£38.52	£38.52

PART 2

	Where professional services are provided in relation to proceedings in a sheriff court which has been designated as a drug court by the sheriff principal
1. All work done under section 22(1)(c) of the Act up to and including the first appearance of an assisted person.	£128.33
2. All work done (other than work done in terms of paragraph 1) in connection with any appearance of an assisted person (per appearance).	£64.18

SCHEDULE 13

Regulation 8(4)

Amendments to schedule 1A of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999

		Where professional services are provided in relation to proceedings in the sheriff court	Where professional services are provided in relation to proceedings in the sheriff court and those proceedings are brought in a Court specified in schedule 2
1. All work up to and including—		£646.36 or £614.27 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 of Part 1 of schedule 1.	£710.54 or £678.45 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 of Part 1 of schedule 1.
(a)	any diet at which a plea of guilty is made and accepted or a plea in mitigation is made		
(b)	the first 30 minutes of conducting any trial		
(c)	a first or second diet of deferred sentence		
(d)	advising, giving an opinion and taking final instructions on the prospects of an appeal against conviction, sentence, other disposal or acquittal,		
together with any subsequent or additional work other than that of the kind specified in paragraphs 6 to 10 of Part 1 of schedule 1			

SCHEDULE 14

Regulation 8(5)

Amendments to schedule 1B of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999

PART 1

		Where professional services are provided in relation to proceedings in the JP court	Where professional services are provided in relation to proceedings in the sheriff court
1. All work relating to assistance by way of representation provided by a solicitor in summary criminal proceedings in accordance with regulation 6 or 6A of the Advice and Assistance (Assistance By Way of Representation) (Scotland) Regulations 2003 other than that specified in paragraphs 2 to 4 below		£393.15	£646.36
2. Representation at a third or subsequent diet of deferred sentence		£32.10	£64.18
3. Representation at a first or second diet of deferred sentence (one only) at which the court considers a report required under section 203 of the 1995 Act and where the case is disposed of (as an additional payment)		£32.10	£32.10
4. All work done in connection with:			
(a)	a bail appeal under section 32 of the 1995 Act, or on appeal under section 201(4) of the 1995 Act, other than work under sub-paragraph (b) below	£64.18	£64.18
(b)	representation in an appeal of either type specified in (a), or a continued diet of such an appeal, where counsel not employed (fee per appearance)	£38.52	£38.52
5. Supplementary fee, payable in addition to any fees under paragraphs 1 to 4, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint		£99.63	£99.63

PART 2

	Where professional services are provided in relation to proceedings in a sheriff court which has been designated as a drug court by the sheriff principal
1. All work done in connection with any appearance of an assisted person (per appearance).	£64.18
2. Supplementary fee, payable in addition to any fees under paragraph 1, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint.	£99.63

SCHEDULE 15

Regulation 11

Amendments to schedules 3 and 4 of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999

"SCHEDULE 3

Regulation 4(1A)(c)

Payments in relation to work under section 22(1)(c) to (db) of the Act

PART 1

Where plea of guilty is tendered or case otherwise concludes (see regulation 4(1BA)(a)(i))

		Where professional services are provided in relation to proceedings in the JP court	Where professional services are provided in relation to proceedings in the sheriff court
1. All work, other than that specified in paragraphs 2 to 4 below, relating to legal aid provided by a solicitor in summary criminal proceedings in accordance with section 22(1)(c) to (db) of the Act in the circumstances described in regulation 4(1BA)(a)(i), including where proceedings conclude by way of any preliminary plea or plea in bar, and in relation to any appeal		£393.15	£646.36
2. Representation at a third or subsequent diet of deferred sentence		£32.10	£64.18
3. Representation at a first or second diet of deferred sentence (one only) at which the court considers a report required under section 203 of the 1995 Act and where the case is disposed of		£32.10	£32.10
4. All work done in connection with:			
(a)	a bail appeal under section 32 of the 1995 Act, or on appeal under section 201(4) of the 1995 Act, other than work under sub-paragraph (b) below	£64.18	£64.18
(b)	representation in an appeal of either type specified in sub-paragraph (a) above, or a continued diet of such an appeal, where counsel not employed (fee per appearance)	£38.52	£38.52
5. Supplementary fee, payable in addition to any fees under paragraphs 1 to 4 above, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint		£99.63	£99.63

PART 2

Where plea of not guilty is tendered or work under section 22 of the Act concludes before plea tendered

1. All work, excluding any work which would be payable under Part 1 or paragraphs 2 and 3 of this Part, carried out by a solicitor on behalf of an accused person by virtue of section 22(1)(c) or (d):		
(a)	where the case is continued without plea on the date the accused is first called upon to plead and any other work up to the earlier of either a plea of not guilty or the solicitor ceasing to act by virtue of section 22 of the Act	£169.50
(b)	where a plea of not guilty is tendered on the date the accused is first called upon to plead	£84.75
2. All work done in connection with:		
(a)	a bail appeal under section 32 of the 1995 Act, or on appeal under section 201(4) of the 1995 Act, other than work under sub-paragraph (b) below	£64.18
(b)	representation in an appeal of either type specified in sub-paragraph (a) above, or a continued diet of such an appeal, where counsel not employed (fee per appearance)	£38.52
3.	All work in relation to any preliminary plea, or plea in bar of trial, etc. (including any work carried out by a solicitor by virtue of section 22(1)(da) or (db))	£203.40
4. Supplementary payment, payable in addition to any payments under paragraphs 1 to 3, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint		£99.63

SCHEDULE 4

Regulation 4(1A)(d)

Payments for legal aid made available in summary proceedings under regulation 15(A1) (special urgency)

PART 1

Where plea of guilty tendered or the case otherwise concludes (see regulation 4(1BA)(b)(i))

	Where professional services are provided in relation to proceedings in the JP court	Where professional services are provided in relation to proceedings in the sheriff court

1. All work where legal aid is authorised by the Board under regulation 15(A1) (and subject to such limitations and conditions as the Board may impose on such authorisation) and is provided by a solicitor in summary criminal proceedings, and where during the period where such work was authorised, a plea or pleas of guilty were tendered and accepted		£393.15	£646.36
2. All work done in connection with:			
(a)	a bail appeal under section 32 of the 1995 Act, or on appeal under section 201(4) of the 1995 Act, other than work under sub-paragraph (b) below	£64.18	£64.18
(b)	representation in an appeal of either type specified in sub-paragraph (a) above, or a continued diet of such an appeal, where counsel not employed (fee per appearance)	£38.52	£38.52

PART 2

Where plea of not guilty is tendered or work under regulation 15(A1) concludes before plea tendered

1. All work by a solicitor where:		
(a)	The case is continued without plea on the date the accused is first called upon to plead, and a plea of not guilty is tendered at a date thereafter	£169.50
(b)	A plea of not guilty is tendered on the date the accused is first called upon to plead	£84.75
2. All work done in connection with:		
(a)	a bail appeal under section 32 of the 1995 Act, or on appeal under section 201(4) of the 1995 Act, other than work under sub-paragraph (b) below	£64.18
(b)	representation in an appeal of either type specified in sub-paragraph (a) above, or a continued diet of such an appeal, where counsel not employed (fee per appearance)	£38.52”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the following instruments made under the Legal Aid (Scotland) Act 1986 ("the 1986 Act")—

- the Civil Legal Aid (Scotland) (Fees) Regulations 1989,
- the Criminal Legal Aid (Scotland) (Fees) Regulations 1989,
- the Legal Aid in Contempt of Court Proceedings (Scotland) (Fees) Regulations 1992,
- the Advice and Assistance (Financial Limit) (Scotland) Regulations 1993 ("the 1993 Regulations"),
- the Advice and Assistance (Scotland) Regulations 1996,
- the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999,
- the Civil Legal Aid (Scotland) Regulations 2002,
- the Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) Regulations 2026,
- the Criminal Legal Aid and Assistance by Way of Representation (Miscellaneous Amendment) (Scotland) Regulations 2026.

Regulation 2 provides that—

- regulations 9 and 10 apply from 1 June 2026,
- regulations 6 (financial limits), 7(2), (3)(c) and (e) and 8 and 11 apply where the grant of legal aid, advice and assistance or assistance by way of representation was made on or after 1 September 2026 or 14 December 2026 as the case may be,
- the other amendments in these Regulations apply only in relation to fees for work done or outlays incurred on or after 1 September 2026,
- where work which qualifies for a fee prescribed under these Regulations is conducted over more than one date, the work is deemed to have been done on the day on which the work comes to an end.

Regulations 3, 4, 5, 7 and 8 make amendments to the above instruments to increase fees and outlays for legal aid and advice and assistance by 13%.

Regulation 6 amends the 1993 Regulations to substitute the financial limit amounts for advice and assistance specified in section 10(2) of the 1986 Act beyond which solicitors are required to seek prior approval of the Scottish Legal Aid Board before providing further advice and assistance.

Regulations 9 and 10 make corrections and minor drafting and clarificatory changes to the Civil Legal Aid (Scotland) Regulations 2002 and the Legal Aid and Advice and Assistance (Miscellaneous Amendment) (Scotland) Regulations 2026 respectively.

Regulation 11 amends the Criminal Legal Aid and Assistance by Way of Representation (Miscellaneous Amendment) (Scotland) Regulations 2026 so that the amendments made by those Regulations to fixed payments include a 13% increase.

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