1959 No. 1008 (S. 53)

Act of Sederunt (Alteration of Court of Session Fees No. 2), 1959

Made - - - - 22*nd May*, 1959
Coming into Operation 22*nd May*, 1959

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:—

Paragraph 5 (4) (*b*) of Rule 357 shall be deleted and there shall be substituted therefor, the following:—

(*b*) For all writings, drafts per sheet 0 2 0

2. This Act of Sederunt may be cited as the Act of Sederunt (Alteration of Court of Session Fees No. 2), 1959 and shall come into operation on 22nd May, 1959.

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

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

Edinburgh.
22nd May, 1959.

EXPLANATORY NOTE

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

This Act of Sederunt increases the fees payable to Clerks of Counsel in respect of writings.

CRIMINAL PROCEDURE, ENGLAND

COSTS AND EXPENSES

1959 No. 2240

The Poor Prisoners' Defence (Fees and Expenses) Regulations, 1959

Made - - - - 21*st December*, 1959
Coming into Operation 1*st January*, 1960

In pursuance of the power conferred upon me by section twelve of the Costs in Criminal Cases Act, 1952(c), as that section applies in relation to costs directed by virtue of section three of the Poor Prisoners' Defence Act, 1930(d), to be paid out of local funds, I hereby make the following Regulations:—

1.—(1) In paragraph (1) of Regulation 1 of the Poor Prisoners' Defence (Fees and Expenses) Regulations, 1953(e) (which relates to the fee to be

(a) 23 & 24 Geo. 5. c. 41. (b) S.I. 1948/1691 (1948 I, p. 3778).
(c) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 48. (d) 20 & 21 Geo. 5. c. 32.
(e) S.I. 1953/1429 (1953 I, p. 418).

allowed to the solicitor assigned under a defence certificate, and provides that this shall not exceed £4 14s. 6d., provided that in certain cases it may be increased to a sum not exceeding £9), for the amount of £4 14s. 6d. there shall be substituted the amount of £7 1s. 9d. and for the amount of £9 there shall be substituted the amount of £13 10s. 0d.

(2) In paragraph (2) of the said Regulation (which makes provision for an additional fee allowable to the solicitor assigned as aforesaid in respect of the third and every subsequent day of a trial which has lasted more than two full days not exceeding £2 16s. 0d.) for the amount of £2 16s. 0d. there shall be substituted the amount of £4 4s. 0d.

(3) In paragraph (3) of the said Regulation (which relates to the fee to be allowed to the solicitor assigned under a legal aid certificate and provides that this shall not exceed £3 3s. 0d. and a further fee not exceeding £1 11s. 6d. in respect of every day on which an adjourned hearing takes place) for the amount of £3 3s. 0d. there shall be substituted the amount of £4 14s. 6d. and for the amount of £1 11s. 6d. there shall be substituted the amount of £2 7s. 3d.

(4) Paragraph (4) of the said Regulation is hereby revoked.

2. These Regulations may be cited as the Poor Prisoners' Defence (Fees and Expenses) Regulations, 1959, and shall come into operation on the first day of January, 1960.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
21st December, 1959.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Paragraph (4) of Regulation 1 of the Poor Prisoners' Defence (Fees and Expenses) Regulations, 1953, makes provision for the same percentage increase in the fees payable under paragraphs (1), (2) and (3) thereof to a solicitor assigned under a defence certificate or a legal aid certificate as is for the time being authorised by Order LXV of the Rules of the Supreme Court in relation to the fees prescribed by that Order in respect of business in the Supreme Court. Order LXV is, so far as is relevant, revoked by the Rules of the Supreme Court (No. 3), 1959 (1959 No. 1958 (L. 13)), which come into operation on 1st January, 1960. Paragraph (4) of Regulation 1 of the Regulations of 1953 is accordingly revoked by paragraph (4) of Regulation 1 of these Rules and paragraphs (1), (2) and (3) provide for such increases in the amounts specified as will secure that no change in the fees payable takes place on 1st January, 1960.