

*These notes relate to the Legal Services (Scotland) Act 2010  
(asp 16) which received Royal Assent on 9 November 2010*

# LEGAL SERVICES (SCOTLAND) ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 4 – the Legal Profession**

#### *Chapter 3 – Solicitors and Other Representatives*

#### **Lay representation**

#### *Section 126 – Court of Session Rules*

258. [Section 126](#) adds a section 5(e) to the Court of Session Act 1988. This extends the Court of Session’s power to make rules to include rules permitting a lay representative, when appearing along with a party at a hearing in any type of case to make oral submissions to the Court on the party’s behalf. It also inserts new section 5A after section 5 of the 1988 Act, which defines the term “lay representative” and provides that the new rules:

- only apply if the party is not otherwise represented;
- may specify conditions as to when the rules apply; and
- are subject to any other enactment that makes special provision about lay representation in a particular type of case.