



Legal Services (Scotland) Act 2010

2010 asp 16

PART 4

THE LEGAL PROFESSION

CHAPTER 3

SOLICITORS AND OTHER REPRESENTATIVES

Lay representation

126 Court of Session rules

In the Court of Session Act 1988—

- (a) in section 5 (power to regulate procedure), after paragraph (ee) insert—
 - “(ef) to permit a lay representative, when appearing at a hearing in any category of cause along with a party to the cause, to make oral submissions to the Court on the party’s behalf.”,
- (b) after section 5 insert—

“5A Rules for lay representation

- (1) Rules under section 5(ef)—
 - (a) are to apply to situations in which the party is not otherwise represented,
 - (b) may specify other conditions by reference to which the rules are to apply.
- (2) Section 5(ef) is subject to any enactment under which special provision may be made for a party to a particular type of case before the Court to be represented by a lay representative.
- (3) In section 5(ef) and this section, a “lay representative” is a person who is not—
 - (a) a solicitor,

Status: *This is the original version (as it was originally enacted).*

- (b) an advocate, or
- (c) one having a right to conduct litigation, or a right of audience, by virtue of section 27 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.”.