



Legal Services (Scotland) Act 2010

2010 asp 16

PART 4

THE LEGAL PROFESSION

CHAPTER 3

SOLICITORS AND OTHER REPRESENTATIVES

Lay representation

127 Sheriff court rules

In the Sheriff Courts (Scotland) Act 1971—

- (a) in section 32 (power of Court of Session to regulate civil procedure), in subsection (1), after paragraph (m) insert—
 - “(n) permitting a lay representative, when appearing at a hearing in any category of civil proceedings along with a party to the proceedings, to make oral submissions to the sheriff on the party’s behalf.”,
- (b) after section 32 insert—

“32A Rules for lay representation

- (1) Rules under section 32(1)(n)—
 - (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 32(1)(n)—
 - (a) does not restrict the operation of section 36(1),
 - (b) is subject to any enactment (apart from section 36(1)) under which special provision may be made for a party to a particular

Status: *This is the original version (as it was originally enacted).*

type of case before the Court to be represented by a lay representative.

- (3) In section 32(1)(n) and this section, a “lay representative” is a person who is not—
- (a) a solicitor,
 - (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.”.