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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 77**

**The Courts Reform (Scotland) Act 2014 (Commencement  
No. 2, Transitional and Saving Provisions) Order 2015**

**Saving for existing subordinate legislation**

7.—(1) Despite the coming into force of paragraphs 4(f), 6(2), 26, 28 and 30(3) of schedule 5 to the Act (which repeal the enactments specified in paragraph (2)), any subordinate legislation made under an enactment specified in paragraph (2) continues to have effect.

(2) The enactments are—

- (a) section 2 of the Court of Law Fees (Scotland) Act 1895<sup>(1)</sup> (power of Scottish Ministers to regulate court fees);
- (b) section 6 of the Execution of Diligence (Scotland) Act 1926<sup>(2)</sup> (regulations, forms and fees);
- (c) section 40 of the Sheriff Courts (Scotland) Act 1907<sup>(3)</sup> (Court of Session to regulate fees etc.);
- (d) in the Sheriff Courts (Scotland) Act 1971—
  - (i) section 32 (power of Court of Session to regulate civil procedure in sheriff court);
  - (ii) section 32A<sup>(4)</sup> (rules for lay representation); and
  - (iii) section 41 (power of Her Majesty to vary limit to privative jurisdiction of sheriff court etc.);
- (e) in the Court of Session Act 1988<sup>(5)</sup>—
  - (i) section 5 (power to regulate procedure etc. by act of sederunt);
  - (ii) section 5A<sup>(6)</sup> (rules for lay representation); and
  - (iii) section 6 (allocation of business etc. by act of sederunt).

(3) In paragraph (2), a reference to an enactment includes a reference to that enactment as extended, applied or modified by any other enactment.

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(1) 1895 c.14; section 2 was substituted by the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c.12), section 4.  
(2) 1926 c.16.  
(3) 1907 c.51.  
(4) Section 32A was added by the Legal Services (Scotland) Act 2010 (asp 16), section 127(b).  
(5) 1988 c.36.  
(6) Section 5A was added by the Legal Services (Scotland) Act 2010 (asp 16), section 126(b).