



# Court of Session Act 1988

## 1988 CHAPTER 36

### PART II

#### GENERAL POWERS OF THE COURT IN RELATION TO PROCEDURE

#### <sup>F1</sup>5 Power to regulate procedure etc. by act of sederunt.

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##### Subordinate Legislation Made

- P1** S. 5: power conferred by s. 5 exercised by [S.I. 1991/272](#) and [S.I. 1991/291](#).  
s. 5 for other exercises of this power see Index to Government Orders.
- P2** s. 5: power exercised by [S.I. 1991/846](#)  
s. 5 power exercised by [S.I. 1991/1157](#), [1991/1158](#)  
s. 5 power exercised by [S.I. 1991/1183](#)  
s. 5 power exercised by [S.I. 1991/1413](#)
- P3** s. 5 power exercised by [S.I. 1991/1621](#)  
S. 5: power exercised by [S.I. 1991/2213](#)  
S. 5: power exercised by [S.I. 1991/2483](#)  
S. 5: power exercised by [S.I. 1991/2652](#)

##### Textual Amendments

- F1** S. 5 repealed (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), [sch. 5 para. 30\(3\)](#); [S.S.I. 2015/77](#), art. 2(2)(3), sch. (with art. 7)

#### <sup>F3</sup>[<sup>F2</sup>5A] Rules for lay representation

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*Changes to legislation: Court of Session Act 1988, Part II is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

- F2** S. 5A inserted (1.9.2011) by [Legal Services \(Scotland\) Act 2010 \(asp 16\)](#), **ss. 126(b)**, 150(2); S.S.I. 2011/180, art. 7
- F3** S. 5A repealed (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), **sch. 5 para. 30(3)**; S.S.I. 2015/77, art. 2(2)(3), sch. (with art. 7)

**F4 6 Allocation of business etc. by act of sederunt.**

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**Textual Amendments**

- F4** S. 6 repealed (1.4.2015) by [Courts Reform \(Scotland\) Act 2014 \(asp 18\)](#), s. 138(2), **sch. 5 para. 30(3)**; S.S.I. 2015/77, art. 2(2)(3), sch. (with art. 7)

**7 Fees on remit to accountants etc.**

The Court shall have power to regulate from time to time the fees which shall be payable to any accountant or person of skill to whom any remit is made in the course of any judicial proceedings before the Court.

**F5 8 Rules Council.**

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**Textual Amendments**

- F5** S. 8 repealed (28.5.2013) by [Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 \(asp 3\)](#), **ss. 14(2)**, 25(2); S.S.I. 2013/124, art. 2 (with art. 3)

**Changes to legislation:**

Court of Session Act 1988, Part II is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1A) added by [2024 asp 1 s. 7\(13\)](#)