
STATUTORY INSTRUMENTS

1997 No. 1260

**Act of Sederunt (Rules of the Court of Session
Amendment No. 5) (Transcripts of Evidence and
Attendance Fees for Shorthand Writers etc.) 1997**

Amendment of Rule 42.16 of the Rules of the Court of Session

2.—(1) Chapter IV of the Table of Fees in Rule 42.16(3) of the Rules of the Court of Session 1994 (fees of shorthand writers) (1) shall be amended in accordance with the following sub-paragraphs.

(2) For the heading to the Chapter substitute—

“TRANSCRIPTS OF EVIDENCE ETC.”

(3) In paragraph 1—

(a) for the heading substitute—

“Attendance of shorthand writer”;

(b) for the word “Attending” substitute “Attendance by shorthand writer at”; and

(c) subject to paragraph 3 below, for the fees of “£58.30” and “£19.40” substitute, respectively, “£100.00” and “£25.00”.

(4) In paragraph 2—

(a) for the heading substitute—

“Notes of evidence: extension by shorthand writer or transcriber”; and

(b) in sub-paragraph (c), after the words “shorthand writer” insert “or transcriber”.

(5) For the notes to Chapter IV substitute—

“Notes

1. Transcripts of evidence will be made only on directions from the court, and the cost of them in defended causes will, in the first instance, be payable by the solicitors for the parties in equal proportions. The daily transcripts of evidence shall be made only if all compearing parties consent. When an undefended cause is continued, or where for other reasons the court considers it necessary that transcripts be made for the use of the court and so directs, the cost will be borne by the solicitor for the pursuer in the first instance. In any cause where transcripts have not been made but are required for a reclaiming motion, the solicitor for the reclamer may request that they be made; and when they are thus available they will be lodged in court, the cost of transcription being payable in the first instance by the solicitor for the reclamer.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

2. In any cause where the court, on a motion enrolled for the purpose, certifies that there is reasonable ground for reclaiming and that the claimer is unable, for financial reasons, to meet the cost of the necessary transcription from which copies for the use of the Inner House are made, the cost of such transcription will be paid out of public funds.”.