

*Draft Order laid before the Scottish Parliament under section 133(2)(a) of the Courts Reform (Scotland) Act 2014 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2019 No.**

**SHERIFF COURT**

**The Sheriff Court Simple Procedure (Limits on Award of Expenses) Amendment Order 2019**

*Made* - - - - 2019  
*Coming into force* - - 1st April 2019

The Scottish Ministers make the following Order in exercise of the powers conferred by section 81 of the Courts Reform (Scotland) Act 2014(1) and all other powers enabling them to do so.

In accordance with section 133(2)(a) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. This Order may be cited as the Sheriff Court Simple Procedure (Limits on Award of Expenses) Amendment Order 2019 and comes into force on 1 April 2019.

**Amendment of the Sheriff Court Simple Procedure (Limits on Award of Expenses) Order 2016**

2.—(1) The Sheriff Court Simple Procedure (Limits on Award of Expenses) Order 2016(2) is amended in accordance with paragraphs (2) and (3).

(2) In article 2 (category of simple procedure cases in which no award of expenses may be made) for “£200” substitute “£300”.

(3) In article 3 (categories of simple procedure cases in which expenses awarded may not exceed prescribed sum) for “£200” substitute “£300”.

**Saving provision**

3. The amendments made by article 2 have no effect in relation to any simple procedure case commenced before 1 April 2019.

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(1) [2014 asp 18](#). Section 81 was relevantly amended by Civil Litigation (Expenses and Group Proceedings) (Scotland) Act 2018, section 12(1A).  
(2) [S.S.I. 2016/388](#).

St Andrew's House,  
Edinburgh  
Date

*Name*  
Authorised to sign by the Scottish Ministers

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Sheriff Court Simple Procedure (Limits on Award of Expenses) Order 2016 (“the 2016 Order”). Simple procedure was established by Chapter 1 of Part 3 of the Courts Reform (Scotland) Act 2014.

The 2016 Order provides that expenses are not awardable where the value of a claim does not exceed £200. Article 2(2) amends that value from £200 to £300.

The 2016 Order provides that, where the value of a claim is between £200 and £1,500, the maximum sum awardable as expenses is £150. Article 2(3) amends the lower value of the claim from £200 to £300.

Article 3 provides that the amendments made by this Order do not affect any simple procedure case which was commenced prior to 1 April 2019.