

RIGHTS OF AUDIENCE AND RIGHTS TO CONDUCT LITIGATION

APPLICATIONS UNDER SECTION 25 OF THE LAW REFORM (MISCELLANEOUS PROVISIONS) (SCOTLAND) ACT 1990

Sections 25 to 29 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 were commenced in March 2007. They set out arrangements by which rights to conduct litigation and rights of audience can be granted in Scotland to members of a professional or other body, i.e. to bodies whose members are not necessarily legally qualified.

This is achieved by means of a scheme drawn up by the body seeking such rights for its members - the scheme has to be approved by the Lord President of the Court of Session and the Scottish Ministers. The scheme has to specify the rights they would like (in relation to which courts, categories of proceedings and nature of business); to describe the training requirements and code of practice which the body would impose on members seeking to exercise such rights; and to set out their arrangements for indemnifying members of the public, handling complaints, coping with breaches of the scheme and so on.

Applicants are required to make the application public for a period of 6 weeks and the Lord President and Scottish Ministers are required to consider written representations made to them during that period. The Lord President and the Scottish Ministers having considered any representations and having consulted each other, the Lord President informs the applicant of the outcome of the application.

- [Detailed guidance on the preparation and process for submitting a scheme](#)

Details of schemes submitted by applicants seeking to obtain rights are available along with any preliminary observations made by the Lord President or Scottish Ministers and the outcome of applications.

- [Background](#)
- [Schemes](#)

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