

## ITEMS CONSIDERED BY CORRESPONDENCE

### Purpose

1. To provide the Costs and Funding Committee with a note of all items considered by correspondence since the last meeting held on 21 March 2023.

### Discussion

2. There have been 5 items considered by correspondence:

**IBC 2023.11** – asked members to approve the draft minutes of the previous meeting held on 21 March 2023. Those minutes were then approved by members and published online.

**IBC 2024.01** - asked members to consider and approve a fees uplift for SMASSO. That draft instrument was approved by members and then enacted as [SSI 2024/41](#). Those fee changes came into effect on 22 March 2024

**IBC 2024.10** – asked members to consider and approve amendments to clarify 3 of the existing PEO rules by: adding a duty of confidentiality, carrying PEOs forward on appeal consistently and making the courts default position on intervener’s expenses explicit. That amending instrument was approved by members and then enacted as [SSI 2024/196](#). Those changes are due to take effect from 1 October 2024.

**IBC 2024.14** – asked members to consider and approve an amended rule that changes the date for lodging objections in a diet of taxation to 10 days prior to the diet. That draft instrument was approved by members and will be tabled at the Council meeting on 14 October 2024 for consideration and approval.

**IBC 2024.15** – asked members to consider and approve the content of a research paper covering “*Research on the cost caps used in practice; within Protective Expenses Orders*”. There were 2 changes made: 1 more case was added taking the total to 28; and a comment added to flag the cap amounts should stay the same rather than be adjusted for inflation. The finalised paper and accompanying press release were published on 2 September 2009.

### Recommendation

3. It is recommended that the Committee:
  - Notes the content of this update

**Secretariat to the Scottish Civil Justice Council  
September 2024**