
STATUTORY INSTRUMENTS

1993 No. 297 (S.27)

SCOTTISH LAND COURT

The Scottish Land Court (Fees) Order 1993

Made - - - - *15th February 1993*
Laid before Parliament *26th February 1993*
Coming into force - - *1st April 1993*

The Secretary of State, in exercise of the powers conferred on him by section 2 of the Courts of Law Fees (Scotland) Act 1895(1), and of all other powers enabling him in that behalf, and with the concurrence of the Treasury, hereby makes the following Order:

1. This Order may be cited as the Scottish Land Court (Fees) Order 1993 and shall come into force on 1st April 1993.

2.—(1) This Order shall regulate the fees payable in respect of proceedings before the Scottish Land Court.

(2) The fees regulated by this Order shall be payable to the Principal Clerk of the Scottish Land Court or any officer acting for him.

3. The fees payable in respect of the matters specified in column 1 of the Table of Fees in the Schedule to this Order shall be the fees specified in relation to those matters in column 2 of that Table (the fees formerly payable being shown in column 3 of that Table).

4. The Scottish Land Court (Fees) Order 1992(2) is hereby revoked.

St. Andrew's House,
Edinburgh
9th February 1993

Fraser of Carmyllie
Minister of State, Scottish Office

(1) 1895 c. 14; section 2 was substituted by section 4 of the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12); the Scottish Land Court was specified for the purposes of section 2 by S.I.1989/1366.
(2) S.I. 1992/401.

Status: This is the original version (as it was originally made).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

We concur,

15th February 1993

T.J.R. Wood
T. Kirkhope
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Article 3

TABLE OF FEES

Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
(1) Small Landholders (Scotland) Acts 1886 to 1931, Crofters (Scotland) Acts 1955 and 1961(4) and Crofting Reform (Scotland) Act 1976(5)	50.00	47.00
(a) Application for a Record of a holding or a croft Principal application (each applicant)		
For each respondent	8.00	8.00
(b) (b) Recording agreements for loan by—	57.50	55.00
(i) the Scottish Office Agriculture and Fisheries Department and		
(ii) Highlands and Islands Enterprise Each agreement		
(c) (c) Other applications Principal application	22.00	20.00
When more than one applicant (each additional applicant)	15.00	13.00
For each respondent	3.00	3.00
(d) (d) Appeals and motions for rehearing Each appellant or motioner	35.00	32.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1992 (S.I. 1992/401).

(4) 1955 c. 21 and 1961 c. 58.

(5) 1976 c. 21.

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Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable ⁽³⁾ £
Each respondent	3.00	3.00
(e) (e) Hearing and Inspection fee payable by applicant in rental applications. For each day or part thereof the Court sits or inspects.	45.00	42.00
(f) (f) Hearing and Inspection fee payable by applicant in all other applications. For each day or part thereof the Court sits or inspects.	50.00	47.00
(g) (g) Additional fee	50.00	47.00
(i) Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party, but before the commencement of the hearing — payable by the applicant		
(ii) Where the Principal Clerk of Court executes a conveyance following upon an Order of the Court under Section 5(2) of the Crofting Reform (Scotland) Act 1976 — payable by the applicant	50.00	45.00
(2) Agricultural Holdings (Scotland) Act 1991 ⁽⁶⁾	6.00	6.00

⁽³⁾ This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1992 (S.I. 1992/401).

⁽⁶⁾ 1991 c. 55.

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Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
(a) Valuation of sheep stocks		
Awards not exceeding £100		
Awards exceeding £100: For the first £100 thereof	6.00	6.00
For every additional £100 or part thereof	3.00	3.00
Where application dismissed or withdrawn before valuation	70.00	65.00
(b) (b) Arbitrations as to rents	50.00	50.00
Rental as fixed by Court, not exceeding £500		
Rental as fixed by Court exceeding £500: For the first £500	50.00	50.00
For every additional £100 or part thereof	7.50	7.50
Where application dismissed or withdrawn before rent fixed	70.00	65.00
(c) (c) Appeals against award by an arbiter(3)		
Fee payable on lodging appeal	52.00	52.00
Rental as fixed by Court not exceeding £500	25.00	25.00
Rental as fixed by Court exceeding £500:		
For the first £500	25.00	25.00
For every additional £100 or part thereof	3.00	3.00
Where application dismissed or withdrawn before rent fixed	70.00	65.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1992 (S.I. 1992/401).

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Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
(d) (d) Claims for compensation Awards not exceeding £100	10.00	10.00
Awards exceeding £100: For the first £100 thereof	10.00	10.00
For every additional £100 or part thereof	5.00	5.00
Where application dismissed or withdrawn before compensation fixed	70.00	65.00
(e) (e) Other Applications Principal application	75.00	68.00
When more than one applicant (each additional applicant)	35.00	32.00
For each respondent	30.00	27.00
(f) (f) Appeals and motions for rehearing Each appellant or motioner	45.00	37.00
(g) (g) Hearings For every day the Court sits or part thereof — payable by the applicant	100.00	90.00
(h) (h) Additional fee Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party, but before the commencement	100.00	90.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1992 (S.I. 1992/401).

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Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
of the hearing — payable by the applicant		
(3) Miscellaneous	1.20	1.10
(a) For making a copy or copies of the principal application or any part of it, or any order in it, or any original deed, writ, or document in process For each sheet		
For certifying such copy	7.00	6.50
(b) (b) Applications not otherwise specified Principal application	75.00	68.00
When more than one applicant (each additional applicant)	35.00	32.00
For each respondent	30.00	27.00
(c) (c) Hearings For every day the Court sits or part thereof — payable by the applicant.	100.00	90.00
(d) (d) Additional fee Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party, but before the commencement of the	100.00	90.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1992 (S.I. 1992/401).

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Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable ⁽³⁾ £
hearing — payable by the applicant		

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which replaces the Scottish Land Court (Fees) Order 1992, prescribes fees payable in respect of applications to the Scottish Land Court and, in certain cases, increases the fees which were payable under the 1992 Order. The fees apply from 1st April 1993.

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1992 (S.I. [1992/401](#)).