

2004 No. 480

LANDS TRIBUNAL

The Lands Tribunal for Scotland Amendment (Fees) Rules 2004

Made - - - - *3rd November 2004*

Coming into force - - *28th November 2004*

The Scottish Ministers, in exercise of the powers conferred by sections 3(6) and (12)(e) of the Lands Tribunal Act 1949(a), and of all other powers enabling them in that behalf, and after consultation with the Scottish Committee of the Council on Tribunals in accordance with section 8(1) of the Tribunals and Inquiries Act 1992(b) hereby make the following Rules:

Citation and commencement

1. These Rules may be cited as the Lands Tribunal for Scotland Amendment (Fees) Rules 2004 and shall come into force on 28th November 2004.

Amendments

2. In the Table of Fees contained in Schedule 2 to the Lands Tribunal for Scotland Rules 1971(c)–

- (a) omit item 16;
- (b) for item 17 substitute–

“17. On an application under sections 90 or 91 of the Title Conditions (Scotland) Act 2003(d) £150”;

(a) 1949 c.42. Section 3 was amended by section 50(2) of the Conveyancing and Feudal Reform (Scotland) Act 1970 (c.35) and by S.I. 1972/2002. The functions of the Lord Advocate were transferred to the Secretary of State for Scotland by the Transfer of Functions (Lord Advocate and Secretary of State) Order 1999 (S.I. 1999/678) and to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46); the requirement to obtain Treasury consent was removed by section 55 of that Act.

(b) 1992 c.53.

(c) S.I. 1971/218 as amended by the Lands Tribunal for Scotland (Amendment) (Fees) Rules 1996 (S.I. 1996/519) which substituted a new table of fees in Schedule 2 and by the Lands Tribunal for Scotland (Amendment) (Fees) Rules 2003 (S.S.I. 2003/521) which inserted an additional table of fees.

(d) 2003 asp 9.

(c) for item 21 substitute–

“21. On the making of an order under the Abolition of Feudal Tenure etc. (Scotland) Act 2000(a), the Land Reform (Scotland) Act 2003(b) or the Title Conditions (Scotland) Act 2003	£88 plus 100 per cent of the cost of registering the order where the Tribunal is obliged to do so.”;
---	---

(d) for item 22 substitute–

“For placing an advertisement in connection with applications under section 20 of the Abolition of Feudal Tenure etc. (Scotland) Act 2000 and sections 90 and 91 of the Title Conditions (Scotland) Act 2003	100 per cent of the cost of the advertisement in an appropriate newspaper (charge is restricted to the cost of one advertisement irrespective of the number of advertisements placed”); and
--	---

(e) after item 22 insert–

“23. On making representations as respects an application under section 90(1) or 91 of the Title Conditions (Scotland) Act 2003	£25
24. On a referral under section 102 of the Title Conditions (Scotland) Act 2003	£150”.

St Andrew’s House,
Edinburgh
3rd November 2004

HUGH HENRY
Authorised to sign by the Scottish Ministers

(a) 2000 asp 5.
(b) 2003 asp 2.

EXPLANATORY NOTE

(This note is not part of the Rules)

The Title Conditions (Scotland) Act 2003 introduces new procedures for application to the Lands Tribunal as respects title conditions and for referral to the Lands Tribunal of disputes over notices of preservation under section 50 and notices of converted servitude under section 80 of that Act. These rules set new fees in respect of applications and procedure at the Lands Tribunal in connection with these items.

2004 No. 480

LANDS TRIBUNAL

The Lands Tribunal for Scotland Amendment (Fees) Rules 2004

£3.00

© Crown Copyright 2004

Printed in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland
150 11/04 19593

