

2017 No. 153

SHERIFF APPEAL COURT

SHERIFF COURT

Act of Sederunt (Fees of Sheriff Officers) (Amendment) 2017

Made - - - - *12th May 2017*

Laid before the Scottish Parliament *16th May 2017*

Coming into force - - *15th June 2017*

In accordance with section 4 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013(a), the Court of Session has approved draft rules submitted to it by the Scottish Civil Justice Council with such modifications as it thinks appropriate.

The Court of Session therefore makes this Act of Sederunt under the powers conferred by section 106(1) of the Courts Reform (Scotland) Act 2014(b) and all other powers enabling it to do so.

Citation and commencement, etc.

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Sheriff Officers) (Amendment) 2017.

(2) It comes into force on 15th June 2017.

(3) A certified copy is to be inserted in the Books of Sederunt.

Amendment of the Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002

2.—(1) The Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002(c) is amended in accordance with this paragraph.

(2) In paragraph 2 (fees of sheriff officers), for “causes in, or work authorised by the sheriff court” substitute “proceedings in, or work authorised by, the sheriff court or Sheriff Appeal Court”.

(3) In schedule 1 (general regulations)—

(a) in paragraph 1, omit “in relation to an ordinary cause or a summary cause, as the case may be,”;

(b) in paragraph 1A(d)—

(i) the word “and” following sub-paragraph (a) is omitted; and

(a) 2013 asp 3. Section 4 was amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 31(3) and by the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), schedule 1, paragraph 1(4).

(b) 2014 asp 18.

(c) S.S.I. 2002/567, last amended by S.S.I. 2016/100.

(d) Paragraphs 1A to 1C were inserted by S.S.I. 2007/550.

- (ii) after sub-paragraph (b), insert—
- “; and
- (c) a simple procedure case in which—
 - (i) the value of a claim for payment of a sum of money when proceedings are commenced is £1,500 or less (exclusive of interest and expenses); or
 - (ii) there is no claim for payment of a sum of money.”;
- (c) for paragraph 1C, substitute—
 - “**1C.** Column B of the Table of Fees specifies the fees payable in relation to—
 - (a) proceedings in the sheriff court not falling within paragraph 1A; and
 - (b) proceedings in the Sheriff Appeal Court.”; and
- (d) in paragraph 17, after the definition of “service” insert—
 - ““simple procedure case” has the meaning given by section 72(9) of the Courts Reform (Scotland) Act 2014.”.

CJM SUTHERLAND
Lord President
I.P.D.

Edinburgh
12th May 2017

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends the Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002 to extend its application to simple procedure cases and appeals in the Sheriff Appeal Court.

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