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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision for the fees payable in the sheriff court, to the sheriff clerk or the auditor of court (as appropriate).

Article 3 and schedules 1 to 3 specify fee levels payable in a sheriff court in respect of certain matters.

- The fee levels for the period from 1 July 2022 until 31 March 2023 are given effect by the Tables of Fees in schedule 1.
- The fee levels for the period from 1 April 2023 until 31 March 2024 are given effect by the Tables of Fees in schedule 2.
- The fee levels from 1 April 2024 onwards are given effect by the Tables of Fees in schedule 3.

Article 3(3) provides that fees are not to be payable by the Crown in the enforcement of the criminal law or in the exercise of powers or the performance of duties arising out of or relating to that enforcement.

Article 3(4) provides that the relevant office holders are not required to do any act in connection with the matter specified in relation to that fee without either prior payment of the fee or entering into an arrangement for payment of the fee.

Article 4 provides that certain fees are payable only once.

Article 5 provides for matters (extract decrees or registration or renewals of registration) included in certain fees.

Article 6 provides for fees payable in the Sheriff Personal Injury Court.

Article 7 provides for cases in which an extra fee is payable.

Articles 8 and 9 provide exemption for certain persons from fees.

Article 10 provides that the fee exemptions in articles 8 and 9 (concerned with legal aid and social security respectively) do not apply in certain cases.

Article 11 provides for exemption in connection with estates exempt from inheritance tax.

Articles 12 and 13 provides for exemption relating to particular proceedings.

Article 14 provides for certain motions in the Sheriff Personal Injury Court to be exempted from fees.

Article 15 revokes the Sheriff Court Fees Order 2018 (and an amending instrument).

A Business and Regulatory Impact Assessment has been prepared for this Order and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government Justice Directorate, St Andrews House, Edinburgh EH1 3DG.

**Changes to legislation:**

There are currently no known outstanding effects for the The Sheriff Court Fees Order 2022.