

1977 No. 568 (S.50)

## SHERIFF COURT, SCOTLAND

## Act of Sederunt (Fees of Sheriff Officers) 1977

<i>Made - - - -</i>	<i>25th March 1977</i>
<i>Laid before Parliament</i>	<i>5th April 1977</i>
<i>Coming into Operation</i>	<i>2nd May 1977</i>

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 40 of the Sheriff Courts (Scotland) Act 1907(a), section 6 of the Execution of Diligence (Scotland) Act 1926(b), and section 34 of the Administration of Justice (Scotland) Act 1933(c), and of all other powers competent to them in that behalf, do hereby enact and declare:—

*Citation, commencement and interpretation*

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Sheriff Officers) 1977 and shall come into operation on 2nd May 1977.

(2) The Interpretation Act 1889(d) applies to the interpretation of this Act of Sederunt as it applies to the interpretation of an Act of Parliament.

*New fees*

2. The fees specified in column 2 of the Schedule to this Act of Sederunt are the fees payable to Sheriff Officers in respect of the matters specified opposite them in column 1 of the Schedule, and are so payable from the date this Act of Sederunt comes into operation.

*Revocation*

3. The Act of Sederunt (Fees of Sheriff Officers) 1975(e) is revoked.

*G. C. Emslie,  
I.P.D.*

Edinburgh,  
25th March 1977.

(a) 1907 c. 51.  
(d) 1889 c. 63.

(b) 1926 c. 16.  
(e) S.I. 1975/73 (1975 I, p. 239).

(c) 1933 c. 41.

## SCHEDULE

## TABLE OF FEES FOR SHERIFF OFFICERS

## PART I ORDINARY COURT

Column 1	Column 2
1. To perusal of all papers preparatory to framing, preparing, typing, comparing documents for all of the following—to be charged extra-judicially .. .. .	£1.00
2. <i>Citations, Charges and Arrestments</i>	
*(a) To serving Writ, Petition, Complaint, Minute, Interlocutor, Warrant or Intimation or Citing for Examination—each Defender or Witness .. .. .	£1.80
*(b) To Charging or Arresting on Decree or Extract Registered Bond, Lease or Protest etc., each Defender.. .. .	£2.40
*(c) To arresting to Found Jurisdiction—each .. .. .	£2.40
*(d) To serving Interim Interdict, each Defender .. .. .	£3.60
(e) Post Copies when necessary .. .. .	£1.00
(f) Post Office Charges First Class Recorded Delivery in addition	
3. <i>Poidings</i>	
*(a) When the appraised value of the poided effects on an Extract Decree, Registered Bond, Protest etc., does not exceed £50 .. .. .	£3.60
* Each additional £25 or part thereof .. .. .	£1.20
*(b) Additional schedule for each other Defender or Possessor	£1.20
(c) Valuator's Fee for Specialised Items in Addition	
(d) To arranging for Locksmiths or Tradesmen to be in attendance .. .. .	£1.00
(e) Tradesmen's fee in addition	
(f) To attending to Poind and being unable to do so and circumstances prove same to be unsuccessful .. .. .	£3.60
4. <i>Sequestrations for Rent and Poidings of the Ground</i>	
*(a) Same fees as for Poidings (substituting sum to be secured for appraised value) .. .. .	
(b) Granting Certificate of Displenishment .. .. .	£0.50
*(c) Carrying Back as in 9(a)–(d)	
5. <i>Ejections</i>	
*(a) To serving Charge under pain of ejection .. .. .	£2.40
(b) To arranging eviction, reserving time and date .. .. .	£2.00
(c) To intimating eviction to each Defender .. .. .	£1.20
(d) Executing Ejection .. .. .	£5.00
(e) To attending to evict and being unable to do so for any reason .. .. .	£2.50
(f) To arranging for Locksmiths or Tradesmen to be in attendance .. .. .	£1.00
(g) Porterage Fees and that of Tradesmen in addition	
6. <i>Sales</i>	
(a) To arranging Sale and reserving time for Warrant Sale .. .. .	£2.00
(b) To obtaining Warrant .. .. .	£1.00
*(c) To serving or intimating Warrant of Sale each Defender or Possessor .. .. .	£2.40

Column 1	Column 2
(d) Preparing advertisement .. .. .	£1.00
(e) Officer attending as Judge of the Roup .. .. .	£5.00
(f) Attending Warrant Sale and being unable to execute same	£3.00
(g) To arranging for Locksmiths or Tradesmen to be in attendance .. .. .	£1.00
(h) Locksmith and Tradesmen's Fees in addition	
(i) Preparing Report and lodging in Court .. .. .	£1.50
 7. <i>Arresting Vessels</i>	
* (a) To Officer arresting vessel .. .. .	£20.00
(b) To arranging for Skilled Artisan to dismantle Vessel ..	£1.00
(c) Skilled Artisan's fee in addition	
 8. <i>Apprehensions</i>	
(a) Apprehending prisoner and detaining or taking to Court	
Officer .. .. .	£10.00
Assistant .. .. .	£5.00
(b) Conducting prisoner for detention to Court House or vice versa	
Officer .. .. .	£6.00
Assistant .. .. .	£3.00
 9. <i>Searching and Re-Possession</i>	
(a) Reserving time and arranging necessary transport .. ..	£2.00
* (b) Searching premises, possessing or taking possession of household effects .. .. .	£5.00
Other items .. .. .	£10.00
Each individual child .. .. .	£10.00
(c) To arranging for Locksmith or Tradesmen to be in attendance	£1.00
(d) Portage fees and that of Tradesmen in addition	
 10. <i>To Service of Warrants originating outwith Scottish Courts</i>	
(a) To registering at local Sheriff Court .. .. .	£1.00
(b) To serving each Defender .. .. .	£5.00
(c) To attending before Notary Public etc. .. .. .	£2.00
(d) Additional fee for Notary Public	
 11. <i>Miscellaneous</i>	
(a) To serving Notice to Remove (weekly, monthly, quarterly, yearly) each .. .. .	£1.20
* (b) To serving Statutory Notices etc. .. .. .	£1.20
(c) Photo copies—first copy per sheet .. .. .	£0.50
subsequent copies per sheet .. .. .	£0.15
 12. <i>Travelling</i>	
* Each mile or part thereof .. .. .	£0.30
 13. <i>Witnesses Fees</i>	
The Witnesses Fees (each) will be one-third of an Officer's Fee—marked with an asterisk (*)	
14. Executing warrant to open when necessary in all of the foregoing ..	£1.00

## Column 1

## Column 2

15. Any necessary outlays not included in the foregoing but necessarily involved by the Sheriff Officer in the course of his duty.

16. *General*

The foregoing Table of Fees relates to work executed between normal business hours, i.e. 9.00 a.m. to 5.00 p.m.

Diligence or Citation which of necessity is executed after 5.00 p.m. and before 10.00 p.m.—additional 33½ per cent to be added. (extra-judicial)

Service of Citation or Diligence which of necessity requires execution after 10.00 p.m. and before 9.00 a.m. or on Saturdays or Public Holidays, additional 75 per cent to be added to fee. (extra-judicial)

When the Officer has to cross a Ferry he will be allowed the necessary cost of the Ferry, and for mileage to charge the breadth of the Ferry and one-half more.

Unless by special arrangement the charges for mileage shall be calculated according to either the distance between the Court House where the Warrant granted and the place of Execution or the distance between the nearest Sheriff Officer's place of business within the County and the place of Execution, whichever shall be the lesser.

(No charge for returning)

## PART II SUMMARY CAUSE DECREES

- |  |       |
|--|-------|
| 1. To perusal of papers preparatory to framing, preparing, typing, comparing documents for all of the following (with the exception of Witness Citations—only one fee to be charged notwithstanding the number of persons cited)—to be charged extra-judicially .. | £1.00 |
| 2. <i>Citation, Charges and Arrestments</i>  |       |
| *(a) To serving Summons, Minute Interlocutor, Warrant, Intimation, Charge, Arrestment or Citing for Examination, each Defender or Witness .. .. .  | £1.20 |
| (b) Service by advertisement including preparation, verification and insertion of advertisement .. .. .  | £3.40 |
| *(c) To serving Arrestment to Found Jurisdiction each ..   | £2.40 |
| (d) Postal Copies, when necessary .. .. .  | £0.50 |
| (e) Post Office Charges First Class Recorded Delivery in addition  |       |
| 3. <i>Poidings</i>   |       |
| *(a) When the appraised value of the poided effects on an Extract Decree, Registered Bond, Protest etc., does not exceed £50 .. .. .   | £3.60 |
| * Each additional £25 or part thereof .. .. .  | £1.20 |
| *(b) Additional schedule for each other Defender or Possessor ..   | £1.20 |
| (c) Valuator's Fee for Specialised Items in addition   |       |
| (d) To arranging for Locksmiths or Tradesmen to be in attendance .. .. .   | £1.00 |
| (e) Tradesmen's fees in addition   |       |
| (f) To attending to Poid and being unable to do so .. .. .   | £3.60 |

Column 1	Column 2
<b>4. Sequestrations for Rent and Poindings of the Ground</b>	
*(a) Same fees as for Poindings (3a-f)	
(b) Granting Certificate of Displenishment .. .. .	£0.50
*(c) Carry Back as in (9a-d)	
<b>5. Ejections</b>	
*(a) To serving Charge of Ejection .. .. .	£1.20
(b) To arranging eviction, reserving time and date .. ..	£2.00
(c) To Intimating Eviction to each Defender .. .. .	£1.20
(d) Executing Ejection .. .. .	£5.00
(e) To attending to Evict and being unable to do so for any reason .. .. .	£2.50
(f) To arranging for Locksmiths or Tradesmen to be in attendance .. .. .	£1.00
(g) Porterage Fees and that of Tradesmen in addition	
(h) Serving Intimation of Re-Enrolment .. .. .	£1.20
(i) Postal Copies, when necessary .. .. .	£0.50
(j) Post Office Charges First Class Recorded Delivery in addition	
<b>6. Sales</b>	
(a) To arranging Sale, reserving time for Warrant Sale and obtaining Warrant .. .. .	£2.00
(b) To serving or Intimating Warrant of Sale, each Defender or Possessor .. .. .	£1.20
(c) Preparing advertisement .. .. .	£1.00
*(d) Officer executing Warrant Sale (as in 3a)	
*(e) Attending Warrant Sale and being unable to execute same	
(f) To arranging for Locksmith or Tradesmen to be in attendance .. .. .	£1.00
(g) Locksmith and Tradesmen's fees in addition	
(h) Preparing Report and lodging in Court .. .. .	£1.50
<b>7. Arresting Vessels</b>	
*(a) To Officer arresting vessel .. .. .	£20.00
(b) To arranging for Skilled Artisan to dismantle vessel ..	£1.00
(c) Skilled Artisan's fee in addition	
<b>8. Apprehensions</b>	
(a) Apprehending prisoner and lodging in prison or taking to Court	
Officer .. .. .	£10.00
Assistant .. .. .	£5.00
(b) Conducting prisoner from prison to Court House or vice versa	
Officer .. .. .	£6.00
Assistant .. .. .	£3.00
<b>9. Searching and Re-Possession</b>	
(a) Reserving time and arranging necessary transport .. ..	£2.00
*(b) Searching premises, possessing or taking possession of household—	
Effects .. .. .	£5.00
Other items .. .. .	£10.00
Each individual child .. .. .	£10.00





SI 1977/568  
ISBN 0-11-070568-8

