
 S T A T U T O R Y I N S T R U M E N T S

1979 No. 347 (S.34)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Amendment of Fees for Sheriff Clerks) 1979

<i>Made</i> - - - -	21st March 1979
<i>Laid before Parliament</i>	30th March 1979
<i>Coming into Operation</i>	1st May 1979

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 2 of the Courts of Law Fees (Scotland) Act 1895(a) and of section 40 of the Sheriff Courts (Scotland) Act 1907(b) as amended by section 39 of the Administration of Justice (Scotland) Act 1933(c) and of all other powers enabling them in that behalf, and with the concurrence of the Treasury, do hereby enact and declare:—

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Amendment of Fees for Sheriff Clerks) 1979 and shall come into operation on 1st May 1979.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendments to Act of Sederunt (Fees for Sheriff Clerks) 1977

2. In the Act of Sederunt (Fees for Sheriff Clerks) 1977(d), as amended by the Act of Sederunt (Amendment of Fees for Sheriff Clerks) 1978(e), for Parts II and III of the Schedule substitute Parts II and III of the Schedule to this Act of Sederunt, and the fees specified in those Parts shall be payable from the date this Act of Sederunt comes into operation.

Revocation

3. Chapter XI of the Schedule to the Act of Sederunt spent fees of solicitors and others in the Sheriff Court (Auditor's Fees)(f), as amended(g), is revoked.

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

Edinburgh.

21st March 1979.

(a) 1895 c. 14.
(d) S.I. 1977/402.
(g) S.I. 1953/1832

(b) 1907 c. 51.
(e) S.I. 1978/116.

(c) 1933 c. 41.
(f) S.R.O. 1935/488.

SCHEDULE

PART II—SHERIFF COURT PROCEEDINGS

GENERAL

- | | |
|--|--------|
| 5. Preservation of deeds, each deed | £0.75 |
| <i>Note:</i> Recording and extracting to be charged under paragraph 26 of this Schedule | |
| 6. Inspection by a trade protection society or trade publication of protests, Act Book and Court Rolls | |
| Weekly for twelve months (payable in advance) | £13.50 |
| Twice weekly for twelve months (payable in advance) | £27.00 |
| 7. Application for stated case | £11.00 |
| <i>Note:</i> If the application is withdrawn £5.00 of this fee shall be repayable on the certificate of the Sheriff that the stated case has not been drafted. | |

BANKRUPTCY PROCEEDINGS

- | | |
|--|-------|
| 8. Petition for sequestration of estates | £7.50 |
| 9. Act and warrant of trustee | £5.00 |
| 10. Writing examination of bankrupt or minute of meeting, per hour | £4.50 |
| 11. Application (written or oral) for discharge of trustee | £3.50 |
| 12. Petition for discharge of bankrupt or application for approval of composition or deed of arrangement | £5.00 |

SERVICE OF HEIRS

- | | |
|---|--------|
| 13. Petition for general or special service or completion of title, or note for a Crown or Princes Charter, writ or precept | £13.50 |
|---|--------|

INFERIOR COURTS JUDGMENT EXTENSION ACT

- | | |
|--------------------|-------|
| 14. Any proceeding | £1.50 |
|--------------------|-------|

SUMMARY JURISDICTION ACTS

- | | |
|---------------|-------|
| 15. Complaint | £3.00 |
|---------------|-------|

SUMMARY CAUSE

- | | |
|--|-------|
| 16. Initial writ—Summary Cause | |
| 1. Actions for payment of money | |
| (a) not exceeding £20 | £1.50 |
| (b) exceeding £20 but not exceeding £50 | £4.50 |
| (c) exceeding £50 but not exceeding £250 | £6.00 |
| 2. Other summary applications | £7.50 |

ORDINARY ACTION

17. Initial writ	£9.00
18. First writ, reponing note, or attendance to state a defence, each defender or compeerer, in an ordinary action	£9.00

MISCELLANEOUS

19. Initial writ in any proceedings other than proceedings to which paragraphs 16 and 17 apply	£7.50
20. First writ, or attendance to state a defence, each defender or compeerer (in a cause to which paragraph 19 of this Schedule applies)	£7.50
21. Caveat, to be in operation for 1 month	£0.75
22. Summary warrant for Recovery of Rates	£7.50
23. Recording protest of a bill or promissory note <i>NOTE:</i> Extract to be charged as in paragraph 26 of this Schedule	£1.50
24. Lodging each set of plans or other Parliamentary deposit	£7.50
25. Citation of each Civil Jury	£15.00

PART III—COMMISSARY AND SHERIFF COURT PROCEEDINGS—
MISCELLANEOUS

26. Recording, extracting or copying—all documents	
(a) By manuscript or typescript per sheet	£1.00
(b) By duplicating per sheet	{ £0.45 First copy £0.05 Subsequent copies
(c) By photocopying per page	{ £0.45 First copy £0.05 Subsequent copies
(d) Recording in Sheriff Court Register of Deeds to be charged as in (a) or (c)	
27. Searches—for each search of records or archives	
(a) For first half hour of time taken	£1.00
(b) For any search involving more than one half hour of time up to a maximum of two hours	£4.50
(c) Plus correspondence Fee where applicable	£0.75
28. Taxation—	
(a) decrees in absence	£0.50
(b) other cases where the account—	
(i) does not exceed £5	£0.50
(ii) exceeds £5 but not £20	£1.00
(iii) exceeds £20 but not £50	£1.50
(iv) exceeds £50 but not £75	£2.00
(v) exceeds £75 but not £100	£3.00
(vi) exceeds £100 but not £150	£4.00
(vii) exceeds £150 but not £200	£6.00
For every additional £50 or part of £50	£1.50

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt makes provision for increasing certain of the fees payable to Sheriff Clerks, and Auditors of Court.

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