

1988 No. 2105 (S.205)

LANDS TRIBUNAL

The Lands Tribunal for Scotland (Amendment) (Fees)
Rules 1988

Made - - - - 28th November 1988

Coming into force 1st January 1989

In exercise of the powers conferred by section 3 of the Lands Tribunal Act 1949(a) and now vested in me(b) and of all other powers enabling me in that behalf, and with the approval of the Treasury, I hereby make the following Rules:

1. These Rules may be cited as the Lands Tribunal for Scotland (Amendment) (Fees) Rules 1988 and shall come into force on 1st January 1989.
2. For the Table of Fees contained in Schedule 2 to the Lands Tribunal for Scotland Rules 1971(c) there shall be substituted the Table of Fees set out in the Schedule to these Rules.
3. The Lands Tribunal for Scotland (Amendment) (Fees) Rules 1987(d) are hereby revoked.

Lord Advocate's Chambers
25th November 1988

Cameron of Lochbroom
Lord Advocate

We approve,

28th November 1988

David Maclean
Kenneth Carlisle
Two of the Lords Commissioners of Her Majesty's Treasury

(a) 1949 c.42; section 3 was amended by the Conveyancing and Feudal Reform (Scotland) Act 1970 (c.35), section 50(2) and by S.I. 1972/2002.
(b) S.I. 1972/2002.
(c) S.I. 1971/218; relevant amending instrument is S.I. 1987/1139.
(d) S.I. 1987/1139.

SCHEDULE

Rule 2

FEEES

<i>Item</i>	<i>Fee payable</i>	<i>Fee formerly payable(a)</i>
Applications etc.		
1. On an application under section 1 or 4 of the Conveyancing and Feudal Reform (Scotland) Act 1970(b) £40.00 £25.00		
2. On an application under Part III of these Rules or where the Tribunal is acting under a reference by consent	£25.00	£15.00
3. On any other application (not being an appeal under Part IV or Part VA or a reference under Part V or Part VC of these Rules)	£20.00	£10.00
Hearing Fees, etc.		
4.(a) On the hearing of an application under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970	£75.00	£50.00
(b) On the making of an order under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970	£35.00	£25.00
5. On the hearing of an application under Part III of these Rules or in relation to any dispute relating to the assessment of betterment levy referred to the Tribunal under section 47 of the Land Commission Act 1967(c) or where the Tribunal is acting under a reference by consent—		
(a) Where the amount is determined in terms of a lump sum—	£30.00 in respect of every £1,000.00 or part of £1,000.00 of such lump sum but not exceeding in any case £3,000.00	(i) is nil or does not exceed £1,000.00, £25.00 (ii) exceeds £1,000.00, £25.00 with an addition of £20.00 in respect of every £1,000.00 or part of £1,000.00 by which the amount determined exceeds £1,000.00 but not exceeding in any case £1,500.00

(a) This column shows the fees which were payable under S.I. 1971/218 as amended by S.I. 1987/1139 before the coming into operation of these Rules.

(b) 1970 c.35.

(c) 1967 c.1.

<i>Item</i>	<i>Fee payable</i>	<i>Fee formerly payable(a)</i>
(b) Where the amount is determined in terms of rent or other annual payment—	£30.00 in respect of every £50.00 or part of £50.00 of such rent or other annual payment but not exceeding in any case £3,000.00	(i) does not exceed £25.00 per annum £25.00 (ii) exceeds £25.00 per annum £25.00 with an addition of £5.00 in respect of every £10.00 or part of £10.00 by which the rent, etc. determined exceeds £25.00 per annum but not exceeding in any case £1,500.00
(c) Where there is a settlement as to amount, for each day on which the Tribunal sits	£75.00	£50.00
6. On the hearing of any other appeal or reference (not being an appeal under Part IV or Part VA or a reference under Part V of these Rules) in which no fee is payable by reference to an amount determined	£75.00 for each day on which the Tribunal sits	£50.00
Miscellaneous fees		
7. On supplying and certifying a copy of an order or determination of the Tribunal	£ 2.50	£ 1.50
8. For each sheet of a copy of all or part of any document (other than a copy to which item 7 applies)	£ 1.00	£ 0.66
9. On a case for the decision of the Court of Session or the Lands Valuation Appeal Court (in respect of references under Part VC of these Rules) - an application for appeal by way of stated case (to include drafting of case and any necessary copies)	£20.00	£10.00

(a) This column shows the fees which were payable under S.I. 1971/218 as amended by S.I. 1987/1139 before the coming into operation of these Rules.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Lands Tribunal for Scotland Rules 1971 for the purpose of increasing the fees payable to the Tribunal.

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