
STATUTORY INSTRUMENTS

1993 No. 120 (S.8)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Fees of Sheriff Officers) 1993

Made - - - - 22nd January 1993
Laid before Parliament 1st February 1993
Coming into force - - 22nd February 1993

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(1), section 6 of the Execution of Diligence (Scotland) Act 1926(2) and of all other powers enabling them in that behalf, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Sheriff Officers) 1993 and shall come into force on 22nd February 1993.

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

Amendment of fees

2.—(1) Subject to the provisions of the following sub-paragraphs, for the Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) 1990(3), substitute the Table of Fees in the Schedule to this Act of Sederunt.

(2) The Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) 1990 as substituted by sub-paragraph (1) above shall apply to work done on or after the date on which this Act of Sederunt comes into force.

(3) The Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) 1990 having effect before the substitution under sub-paragraph (1) above shall continue to have effect in respect of work done before the date on which this Act of Sederunt comes into force.

(1) 1907 c. 51; section 40 was amended by the Schedule to the Administration of Justice (Scotland) Act 1933 (c. 41) and by paragraph 7 of Schedule 1 to and Schedule 2 to the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12) and is to be read with section 1(3) of the Secretaries of State Act 1926 (c. 18).

(2) 1926 c. 16.

(3) S.I. 1990/381; amended by S.I. 1991/290, S.I. 1992/82 and S.I. 1992/773.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Edinburgh,
22nd January 1993

J.A.D. Hope
Lord President, IPD

SCHEDULE

Paragraph 2(1)

TABLE OF FEES

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
1. Service	16.95	26.10	33.70	27.70	40.65	52.90
<i>or</i>						
<i>intimation of</i>						
<i>a document</i>						
(a) Service						
(i) each person at a different address						
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987	5.65	5.65	5.65	9.25	9.25	9.25
(b) Postal service	8.50	8.50	8.50	13.90	13.90	13.90
(c) Postal diligence	12.75	12.75	12.75	20.85	20.85	20.85
2. Interdicts				76.00	76.00	76.00
(a) Interdict only						
(i) each person at a different address						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
(ii) each additional person at the same address				16.70	16.70	16.70
(i) each person at a different address				85.30	85.30	85.30
(ii) each additional person at the same address				26.00	26.00	26.00
3. Poindings	3.75	3.75	3.75	5.70	5.70	5.70
(a) Serving notice of entry						
(b) Arranging poinding and endeavouring but being unable to execute same for whatever reason	29.40	29.40	29.40	43.05	43.05	43.05
(c) Arranging and executing poinding where appraised	50.40	50.40	50.40	50.40	50.40	50.40

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
value is—						
(i) £354 or under						
(ii) Over £354 and up to £1,425	78.05	78.05	78.05	78.05	78.05	78.05
(iii) Over £1,425 and up to £14,347 — 10% of the appraised value only						
(iv) Over £14,347 and up to £71,729 — 10% of the first £14,347, 5% thereafter up to £71,729 of the appraised value						
(v) Over £71,729 — 10% of the first £14,347, 5*percnt; thereafter up to						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
£71,729 and 1% of the appraised value over £71,729						
Reporting (d) value over £71,729	4.85	4.85	4.85	4.85	4.85	4.85
4. Poindings of motor vehicles, heavy plant or machinery	50.40	50.40	50.40	50.40	50.40	50.40
(a) Arrnging and executing poindings where appraised value is—						
(i) £354 or under						
(ii) Over £354 and up to £1,576	78.05	78.05	78.05	78.05	78.05	78.05
(iii) Over £1,576 and up to £71,729 —5% of the appraised value only						
(iv) Over £71,729 —5%						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
of the first £71,729 and 1% thereafter of the appraised value						
Reporting (b) pointing	4.85	4.85	4.85	4.85	4.85	4.85
5. Sequestration for rent, pointing of ground	27.40	27.40	27.40	41.10	41.10	41.10
(a) Arranging for the sequestration or pointing of the ground and endeavouring but being unable to execute same for whatever reason						
Arranging (b) and effecting sequestration where the appraised value is—	48.35	48.35	48.35			
(i) £354 or under						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
(ii) Over £354 and up to £1,425	76.00	76.00	76.00			
(iii) Over £1,425 as 3(c) (iii) above						
Arranging (c) and effecting ordinary sequestration or pouncing of the ground				76.00	76.00	76.00
Service (d) — as it item 1(a) or (b) above, as the case may be						
6. Sales	7.90	7.90	7.90	7.90	7.90	7.90
(a) (i) Application for warrant of sale or variation of warrant of sale						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
(i) Intimating application — as in item 1(a) or (b) above, as the case may be						
(b) (i) Advertising warrant sale, preparing advertisement and giving public notice	12.40	12.40	12.40	12.40	12.40	12.40
(ii) Serving copy of warrent of sale and intimating the place and date of sale and if necessary the date of removal of pointed effects, as in item 1(a) or (b) above, as the case						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
may be						
(d) Officer attending warrant sale conducted by auctioneer	21.65	36.60	46.30	21.65	36.60	46.30
(d) (i) Officer and witness attending warrant sale and being unable to execute same for whatever reason	27.40	27.40	27.40	41.10	41.10	41.10
(ii) Officer and witness conducting sale where the appraised value is £354 or under	48.35	48.35	48.35	48.35	48.35	48.35
(iii) Over £354	76.00	76.00	76.00	76.00	76.00	76.00
7. Ejection	27.40	27.40	27.40	41.10	41.10	41.10
(a) Arranging ejection						
(b) Arranging and executing ejection	56.25	56.25	56.25	63.85	63.85	63.85

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Item</i>	<i>Summary Cause</i>			<i>Ordinary Cause</i>		
	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
	£	£	£	£	£	£
8. Taking possession of effects	27.40	27.40	27.40	41.10	41.10	41.10
(a) Arranging possession						
(b) Arranging and effecting possession	56.25	56.25	56.25	76.00	76.00	76.00
9. Apprehensions				41.10	41.10	41.10
(a) Arranging apprehension						
(b) Arranging and apprehending				76.00	76.00	76.00
10. Taking possession of children				41.10	41.10	41.10
(a) Arranging to take possession						
(b) Arranging and taking possession of each child				76.00	76.00	76.00
11. Arresting vessels, aircraft and cargo	27.40	27.40	27.40	41.10	41.10	41.10
(a) Arranging to arrest						
(b) Arranging and effecting arrestment	69.10	69.10	69.10	125.70	125.70	125.70
12. Miscellaneous	9.50	9.50	9.50	9.50	9.50	9.50
(a) To make any						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
report or application under the Act of 1987 with exception of reporting a poinding						
(b) To grant any receipt required to be issued under the Act of 1987	4.85	4.85	4.85	4.85	4.85	4.85
(c) To arrange locksmith or tradesman to be in attendance	3.05	3.05	3.05	3.05	3.05	3.05
(d) To grant certificate of displenishment or providing any other certificate or report,	9.50	9.50	9.50	9.50	9.50	9.50

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	£	£	£	£	£	£
registering any document or making any application to a court or the creditor	9.50	9.50	9.50	9.50	9.50	9.50
Executing a warrant to open lockfast places						
(f) (f) Time						
(i) with witness						
—						
£15.25 per unit						
(ii) without witness						
—						
£11.40 per unit						
(g) Photocopies						
(i) first sheet of document						
—						
£1.00						
(ii) subsequent sheets						
—						
£0.50						

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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) 1990 (S.I. [1990/381](#)) by increasing the fees payable to Sheriff Officers by about 4%. The last increase was in the Act of Sederunt (Fees of Sheriff Officers) 1992 (S.I. [1992/82](#)) as amended by the Act of Sederunt (Fees of Sheriff Officers) (Amendment) 1992 (S.I. [1992/773](#)).