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STATUTORY INSTRUMENTS

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**1995 No. 307 (S.10)**

**SCOTTISH LAND COURT**

**The Scottish Land Court (Fees) Order 1995**

*Made* - - - - *8th February 1995*  
*Laid before Parliament* *22nd February 1995*  
*Coming into force* - - *1st April 1995*

The Secretary of State, in exercise of the powers conferred on him by section 2 of the Courts of Law Fees (Scotland) Act 1895(1), and of all other powers enabling him in that behalf, and with the concurrence of the Treasury, hereby makes the following Order:

1. This Order may be cited as the Scottish Land Court (Fees) Order 1995 and shall come into force on 1st April 1995.

2.—(1) This Order regulates the fees payable in respect of proceedings before the Scottish Land Court.

(2) The fees regulated by this Order shall be payable to the Principal Clerk of the Scottish Land Court or any officer acting for him.

3. The fees payable in respect of the matters specified in column 1 of the Table of Fees in the Schedule to this Order shall be the fees specified in relation to those matters in column 2 of that Table (the fees formerly payable being shown in column 3 of that Table).

4. The Scottish Land Court (Fees) Order 1994(2) is hereby revoked.

St Andrew's House,  
Edinburgh  
31st January 1995

*Fraser of Carmyllie*  
Minister of State, Scottish Office

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(1) 1895 c. 14; section 2 was substituted by section 4 of the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12); the Scottish Land Court was specified as a Scottish Court for the purposes of section 2 by S.I. 1989/1366.  
(2) S.I. 1994/498.

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We concur,

8th February 1995

*T J R Wood*  
*Derek Conway*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## SCHEDULE

Article 3

## TABLE OF FEES

Column 1 <i>Matters</i>	Column 2 <i>Fee payable £</i>	Column 3 <i>Fee formerly payable(3) £</i>
<b>1) Small Landholders</b> <i>(Scotland) Acts 1886 to 1931</i> <i>and Crofters (Scotland) Act</i> <i>1993(4)</i>		
(a) <i>Application for a</i> <i>Record of a holding</i> <i>or a croft</i>		
<i>Principal application</i> <i>(each applicant)</i>	58.00	55.00
For each respondent	10.00	9.00
(b) (b) <i>Recording</i> <i>agreements for loan</i> <i>by</i>		
(i) <i>the Scottish</i> <i>Office</i> <i>Agriculture</i> <i>and Fisheries</i> <i>Department</i> <i>and</i>		
(ii) <i>the Highlands</i> <i>and Islands</i> <i>Enterprise</i>		
Each agreement	65.00	60.00
(c) (c) <i>Other</i> <i>applications</i>		
<i>Principal application</i>	26.00	24.00
<i>When more than one</i> <i>applicant (each additional</i> <i>applicant)</i>	17.00	16.00
For each respondent	4.00	3.00
(d) (d) <i>Appeals and</i> <i>motions for rehearing</i>		
Each appellant or motioner	45.00	40.00
Each respondent	4.00	3.00
(e) (e) <i>Hearing</i> <i>and Inspection fee</i>	55.00	50.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1994 (S.I. 1994/498).

(4) 1993 c. 44.

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Column 1 <i>Matters</i>	Column 2 <i>Fee payable £</i>	Column 3 <i>Fee formerly payable(3) £</i>
payable by applicant in all applications. For each day or part thereof the Court sits or inspects		
(f) (f) Additional fee		
(i) Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party but before the commencement of the hearing—payable by the applicant	65.00	60.00
(ii) Where the Principal Clerk of Court executes a conveyance following upon an Order of the Court under section 16(2) of the Crofters (Scotland) Act 1993—payable by the applicant	60.00	55.00
<b>2) Agricultural Holdings (Scotland) Act 1991(5)</b>		
(a) Valuation of sheep stocks		
Awards not exceeding £100	6.00	6.00
Awards exceeding £100:		
—		
For the first £100 thereof	6.00	6.00
For every additional £100 or part thereof	3.00	3.00
Where application dismissed or withdrawn before valuation	70.00	70.00
(b) (b) Arbitration as to rents		
Rental as fixed by Court, not exceeding £500	50.00	50.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1994 (S.I. 1994/498).

(5) 1991 c. 55.

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Column 1 <i>Matters</i>	Column 2 <i>Fee payable £</i>	Column 3 <i>Fee formerly payable(3) £</i>
Rental as fixed by Court exceeding £500:—		
For the first £500	50.00	50.00
For every additional £100 or part thereof	7.50	7.50
Where application dismissed or withdrawn before rent fixed	75.00	70.00
(c) (c) Appeals against award by an arbiter		
Fee payable on lodging appeal	60.00	57.00
Rental as fixed by Court not exceeding £500	30.00	39.00
Rental as fixed by Court exceeding £500:—		
For the first £500	30.00	30.00
For every additional £100 or part thereof	3.00	3.00
Where application dismissed or withdrawn before rent fixed	80.00	75.00
(d) (d) Claims for compensation		
Awards not exceeding £100	12.00	12.00
Awards exceeding £100:—		
For the first £100 thereof	12.00	12.00
For every additional £100 or part thereof	5.00	5.00
Where application dismissed or withdrawn before compensation fixed	75.00	75.00
(e) (e) Other Applications		
Principal application	90.00	85.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1994 (S.I. 1994/498).

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Column 1 <i>Matters</i>	Column 2 <i>Fee payable £</i>	Column 3 <i>Fee formerly payable(3) £</i>
When more than one applicant (each additional applicant)	45.00	40.00
For each respondent	40.00	35.00
(f) (f) Appeals and motions for rehearing		
Each appellant or motioner	55.00	50.00
(g) (g) Hearings and Inspections		
For every day or part thereof the Court sits or inspects—payable by the applicant	115.00	110.00
(h) (h) Additional fee		
Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party but before the commencement of the hearing—payable by the applicant	115.00	110.00
<b>3) Miscellaneous</b>		
(a) For making a copy or copies of the principal application or any part of it, or any order in it, or any original deed, writ, or document in process		
For each sheet	1.20	1.20
For certifying such copy	7.00	7.00
(b) (b) Applications not otherwise specified		
Principal application	90.00	85.00
When more than one applicant (each additional applicant)	45.00	40.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1994 (S.I. 1994/498).

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Column 1 <i>Matters</i>	Column 2 <i>Fee payable £</i>	Column 3 <i>Fee formerly payable(3) £</i>
For each respondent	40.00	35.00
(c) (c) Hearings and Inspections		
For every day or part thereof the Court sits or inspects—payable by the applicant	115.00	110.00
(d) (d) Additional fee		
Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party but before the commencement of the hearing — payable by the applicant	115.00	110.00

### EXPLANATORY NOTE

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

This Order regulates the fees payable from 1st April 1995 in respect of proceedings before the Scottish Land Court. In the majority of cases the fees are increased. The Scottish Land Court (Fees) Order 1994 is revoked.

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1994 (S.I. 1994/498).