
STATUTORY INSTRUMENTS

1997 No. 2824 (S. 177)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Fees of Sheriff Officers) 1997

Made - - - - *21st November 1997*
Laid before Parliament *28th November 1997*
Coming into force - - *1st January 1998*

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) 1997 and shall come into force on 1st January 1998.

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

Amendment of fees

2.—(1) Subject to sub-paragraph (2) below, the Table of Fees in the Schedule to this Act of Sederunt shall be substituted for the Table in Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) 1994(3) and shall apply to work carried out by a sheriff officer on or after the date on which this Act of Sederunt comes into force.

(2) Sub-paragraph (1) above does not affect the fees payable as respects any work so carried out before the date mentioned in that sub-paragraph.

Edinburgh
21st November 1997

Rodger of Earlsferry
Lord President, I.P.D.

(1) 1907 c. 51; section 40 as amended by section 1(3) of the Secretaries of State Act 1926 (c. 18), 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).

(2) 1926 c. 16.

(3) S.I. 1994/392, as amended by S.I. 1994/3267, S.I. 1995/3095 and S.I. 1996/2858.

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SCHEDULE

Para.2(1).

TABLE OF FEES

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
1. Service or intimation of a document	£19.75	£30.45	£39.40	£32.30	£47.45	£61.80
(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	£6.65	£6.65	£6.65	£10.80	£10.80	£10.80
(b) Postal service	£9.55	£9.55	£9.55	£15.90	£15.90	£15.90
(c) Postal diligence	£14.55	£14.55	£14.55	£23.95	£23.95	£23.95
2. Interdicts				£88.75	£88.75	£88.75
(a) Interdict only						
(i) each person at a						

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<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>
	different address					
(ii) each additional person at the same address				£19.50	£19.50	£19.50
In (b) and service				£99.65	£99.65	£99.65
	(i) each person at a different address					
(ii) each additional person at the same address				£30.35	£30.35	£30.35
3. Poiniding	£4.35	£4.35	£4.35	£6.70	£6.70	£6.70
(a) Serving notice of entry						
Arranging (b) pointing and endeavouring, but being unable, to execute it for whatever reason	£34.35	£34.35	£34.35	£50.30	£50.30	£50.30
Arranging (c) and executing pointing	£58.85	£58.85	£58.85	£58.85	£58.85	£58.85

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
where appraised value is—						
(i) £414 or under						
(ii) over £414 and up to £1,664	£91.15	£91.15	£91.15	£91.15	£91.15	£91.15
(iii) Over £1,664 and up to £16,754 – 10% of the appraised value only						
(iv) Over £16,754 and up to £83,760 – 10% of the first £16,754, 5% thereafter up to £83,760 of the appraised value						
(v) Over £83,760 – 10% of the first £16,754, 5% thereafter						

<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>
up to £83,760 and 1% of the appraised value over £83,760						
Reporting (pointing)	£5.65	£5.65	£5.65	£5.65	£5.65	£5.65
4. Pointing of motor vehicles, heavy plant or machinery	£58.85	£58.85	£58.85	£58.85	£58.85	£58.85
(a) Arranging and executing pointing where appraised value is—						
(i) £414 or under						
(ii) Over £414 and up to £1,841	£91.15	£91.15	£91.15	£91.15	£91.15	£91.15
(iii) Over £1,841 and up to £83,760 – 5% of the appraised value only						
(iv) Over £83,760						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
– 5 % of the first £83,760, and 1% thereafter of the appraised value						
Reporting (1) £5.65 pointing	£5.65	£5.65	£5.65	£5.65	£5.65	£5.65
5. Sequestration for rent, pointing of ground	£32.00	£32.00	£32.00	£48.00	£48.00	£48.00
(a) Arranging for the sequestration or pointing of the ground and endeavouring, but being unable, to execute it for whatever reason						
Arranging (1) £56.50 and effecting sequestration where the appraised value is—	£56.50	£56.50	£56.50			

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(i) £414 or under						
(ii) Over £414 and up to £1,664	£88.75	£88.75	£88.75			
(iii) Over £1,664 as in item 3(c) (iii) above						
(c) Arranging and effecting ordinary sequestration or poinding of the ground				£88.75	£88.75	£88.75
(d) — as in item 1(a) or (b) above, as the case may be						
6. Sales						
(a) (i) Application for warrant of sale	£9.25	£9.25	£9.25	£9.25	£9.25	£9.25

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
effects -as in item l(a) or (b) above, as the case may be						
(c) Officer attending warrant sale alone conducted by auctioneer	£25.25	£42.80	£54.05	£25.25	£42.80	£54.05
(d) (i) Officer and witness attending warrant sale and being unable to execute it for whatever reason	£32.00	£32.00	£32.00	£48.00	£48.00	£48.00
(ii) Officer and witness conducting sale where the appraised value is £414 or under	£56.50	£56.50	£56.50	£56.50	£56.50	£56.50

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	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(iii) And where it is over £414	£88.75	£88.75	£88.75	£88.75	£88.75	£88.75
7. Ejection	£32.00	£32.00	£32.00	£48.00	£48.00	£48.00
(a) Arranging ejection						
(b) Arranging and executing ejection	£65.70	£65.70	£65.70	£74.55	£74.55	£74.55
8. Taking possession of effects	£32.00	£32.00	£32.00	£48.00	£48.00	£48.00
(a) Arranging possession						
(b) Arranging and effecting possession	£65.70	£65.70	£65.70	£88.75	£88.75	£88.75
9. Apprehensions				£48.00	£48.00	£48.00
(a) Arranging apprehension						
(b) Arranging and apprehending				£88.75	£88.75	£88.75
10. Taking possession of children				£48.00	£48.00	£48.00
(a) Arranging to take possession						
(b) Arranging and taking possession of each child				£88.75	£88.75	£88.75

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
11. Arresting vessels, aircraft and cargo	£32.00	£32.00	£32.00	£48.00	£48.00	£48.00
(a) Arranging to arrest						
(b) Arranging and effecting arrestment	£80.70	£80.70	£80.70	£146.75	£146.75	£146.75
12. Miscellaneous	£11.10	£11.10	£11.10	£11.10	£11.10	£11.10
(a) Making any report or application under the Act of 1987 with the exception of reporting a poinding						
(b) Granting any receipt required to be issued under the Act of 1987	£5.65	£5.65	£5.65	£5.65	£5.65	£5.65
(c) Arranging for locksmith or tradesman	£3.60	£3.60	£3.60	£3.60	£3.60	£3.60

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
to be in attendance						
G(d)ting (d) certificate of displenishment or providing any other certificate or report, registering any document or making any application to a court or the creditor	£11.10	£11.10	£11.10	£11.10	£11.10	£11.10
Ex(c)ting (c) warrant to open lockfast places	£11.10	£11.10	£11.10	£11.10	£11.10	£11.10
(f) (f) Time						
(i) with witness — £17.80 per unit						
(ii) without witness — £13.30						

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	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
per unit						
(g) (g) Photocopies						
(i) first page of document						
– £1.25						
(ii) subsequent pages – per page – £0.60.						

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) 1994 (S.I. [1994/392](#)) by increasing the fees payable to Sheriff Officers by about 3.7%. The last increase was in the Act of Sederunt (Fees of Sheriff Officers) 1996 (S.I. [1996/2858](#)).