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SCOTTISH STATUTORY INSTRUMENTS

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**1999 No. 151**

**COURT OF SESSION, SCOTLAND**

**Act of Sederunt (Fees of Messengers-at-Arms) 1999**

*Made - - - - 19th November 1999*

*Coming into force - - - 1st January 2000*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 6 of the Execution of Diligence (Scotland) Act 1926<sup>(1)</sup>, section 5 of the Court of Session Act 1988<sup>(2)</sup> and of all other powers enabling them in that behalf, with the concurrence of the Lord Lyon King of Arms do hereby enact and declare:—

**Citation and commencement**

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Messengers-at-Arms) 1999 and shall come into force on 1st January 2000.

(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 Messengers at Arms) 1994<sup>(3)</sup> and shall apply to work carried out by a messenger-at-arms 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,  
19th November 1999

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

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(1) 1926 c. 16.

(2) 1988 c. 36.

(3) S.I. 1994/391, as amended by S.I. 1994/3268, S.I. 1995/3094, S.I. 1996/2855, S.I. 1997/2825 and S.I. 1998/2668

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## SCHEDULE

Para.2(1).

## TABLE OF FEES

<i>Item</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
<b>1. Service or intimation of a document</b>	£38.45	£65.20	£82.35
(a) Service			
(i) each person at a different address	£12.85	£12.85	£12.85
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987			
(b) (b) Postal service	£18.85	£18.85	£18.85
(c) (c) Postal diligence	£28.50	£28.50	£28.50
<b>2. Inhibitions</b>			
(a) Inhibition only			
(i) each person at a different address	£40.45	£65.20	£82.35
(ii) each additional person at the same address	£20.95	£20.95	£20.95
(b) (b) Inhibition and service	£53.25	£77.95	£95.40
(i) each person at a different address			
(ii) each additional person at the same address	£33.85	£33.85	£33.85
(c) (c) Inhibition, service and interdict	£129.30	£129.30	£129.30
(i) each person			

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<i>Item</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
at a different address			
(ii) each additional person at the same address	£54.95	£54.95	£54.95
<b>3. Interdicts</b>	£95.40	£95.40	£95.40
(a) Interdict only			
(i) each person at a different address			
(ii) each additional person at the same address	£20.95	£20.95	£20.95
(b) <del>(b)</del> Interdict and service	£108.25	£108.25	£108.25
(i) each person at a different address			
(ii) each additional person at the same address	£33.85	£33.85	£33.85
(c) <del>(d)</del> Interdict, service and inhibition	£129.30	£129.30	£129.30
(i) each person at a different address			
(ii) each additional person at the same address	£54.95	£54.95	£54.95
<b>4. Poindings</b>	£7.20	£7.20	£7.20
(a) Serving notice of entry			
(b) <del>(b)</del> Arranging poinding and endeavouring, but being	£54.05	£54.05	£54.05

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<i>Item</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
unable, to execute it for whatever reason			
(c) <del>(A)</del> Arranging and executing pointing where appraised value is –	£63.25	£63.25	£63.25
(i) £445 or under			
(ii) Over £445 and up to £1,788	£98.00	£98.00	£98.00
(iii) Over £1,788 and up to £18,008 – 10% of the appraised value			
(iv) Over £18,008 and up to £90,028 – 10% of the first £18,008, 5% thereafter			
(v) Over £90,028 – 10% of the first £18,008, 5% thereafter up to £90,028, and 1% thereafter			
(d) <del>(B)</del> Reporting pointing	£6.10	£6.10	£6.10
<b>5. Pointings of motor vehicles, heavy plant or machinery</b>			
(a) Arranging and executing pointing where appraised value is –			
(i) £445 or under	£63.25	£63.25	£63.25

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<i>Item</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
(ii) Over £445 and up to £1,978	£98.00	£98.00	£98.00
(iii) Over £1,978 and up to £90,028 – 5% of the appraised value			
(iv) Over £90,028 – 5% of the first £90,028, and 1% thereafter			
(b) <del>(b)</del> Reporting and pointing	£6.10	£6.10	£6.10
<b>6. Sequestrations for rent, pointing of the ground</b>	£51.55	£51.55	£51.55
(a) Arranging for the sequestration or pointing of the ground and endeavouring, but being unable, to execute it for whatever reason			
(b) <del>(b)</del> Arranging and effecting sequestration or pointing of the ground	£95.40	£95.40	£95.40
<b>7. Sales</b>	£12.00	£12.00	£12.00
(a) (i) Application for warrant of sale or variation of a warrant of sale			
(ii) Intimating application – as in item 1(a) or			

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<i>Item</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
(b) (b) above, as the case may be			
(b) (i) Arranging warrant sale, preparing advertisement and giving public notice	£15.60	£15.60	£15.60
(ii) Serving copy of warrant 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 may be			
(c) (A) Attending warrant sale alone conducted by auctioneer	£27.15	£46.00	£58.10
(d) (i) Attending warrant sale with witness and being unable to execute it for whatever reason	£51.55	£51.55	£51.55
(ii) Conducting warrant sale with witness where the appraised value is – £445 or under	£60.75	£60.75	£60.75

<i>Item</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
Over £445	£95.40	£95.40	£95.40
<b>8. Ejections</b>	£51.55	£51.55	£51.55
(a) Arranging ejection			
(b) <del>(b)</del> Arranging and executing ejection	£80.15	£80.15	£80.15
<b>9. Taking possession of effects</b>	£51.55	£51.55	£51.55
(a) Arranging possession			
(b) <del>(b)</del> Arranging and effecting possession	£95.40	£95.40	£95.40
<b>10. Apprehensions</b>	£51.55	£51.55	£51.55
(a) Arranging apprehension			
(b) <del>(b)</del> Arranging and apprehending	£95.40	£95.40	£95.40
<b>11. Taking possession of children</b>	£51.55	£51.55	£51.55
(a) Arranging to take possession			
(b) (b) Taking possession of each child	£95.40	£95.40	£95.40
<b>12. Arresting vessels, aircraft and cargo</b>			
(a) Arranging to arrest £51.55 £51.55	£51.55		
(b) <del>(b)</del> Arranging and effecting arrestment	£157.70	£157.70	£157.70
<b>13. Miscellaneous</b>	£11.95	£11.95	£11.95
(a) Making any report or application under the			

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<i>Item</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
Act of 1987 with the exception of reporting a poinding			
(b) <del>(b)</del> Granting any receipt required to be issued under the Act of 1987	£6.10	£6.10	£6.10
(c) <del>(c)</del> Arranging for locksmith or tradesman to be in attendance	£3.85	£3.85	£3.85
(d) <del>(d)</del> Granting certificate of displenishment or providing any other certificate or report, registering any document or making any application to a court or the creditor	£11.95	£11.95	£11.95
(e) <del>(e)</del> Executing warrant to open lockfast places	£11.95	£11.95	£11.95
(f) (f) Time			
(i) with witness – £19.15 per unit			
(ii) without witness – £14.30 per unit			
(g) (g) Photocopies			
(i) first page of document – £1.35			
(ii) subsequent pages – per page – £0.60			



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## EXPLANATORY NOTE

*(This note is not part of the Act of Sederunt)*

This Act of Sederunt amends the Act of Sederunt (Fees of Messengers-at-Arms) 1994 (S.I.1994/391) by increasing the fees payable to Messengers-at-Arms by about 3.25%.

The last increase was in the Act of Sederunt (Fees of Messengers-at-Arms) 1998 (S.I.1998/2668).