SCOTTISH STATUTORY INSTRUMENTS

2015 No. 264

SHERIFF COURT

The Sheriff Court Fees Order 2015

Made - - - -	*15th June 2015*
Laid before the Scottish Parliament - - - -	*17th June 2015*
Coming into force in accordance with article 1	

The Scottish Ministers make the following Order in exercise of the powers conferred by section 107(1) and (2) of the Courts Reform (Scotland) Act 2014(**1**) and all other powers enabling them to do so.

Citation, commencement and effect

1.—(1) This Order may be cited as the Sheriff Court Fees Order 2015 and, subject to paragraphs (2) and (3), comes into force on 22nd September 2015.

(2) Article 3(1)(b) and Schedule 2 come into force, and article 3(1)(a) and Schedule 1 cease to have effect, on 1st April 2016.

(3) Article 3(1)(c) and Schedule 3 come into force, and article 3(1)(b) and Schedule 2 cease to have effect, on 1st April 2017.

Interpretation

2. In this Order—

"extract decree" includes any duly authenticated extract of an order made by the sheriff in respect of any licence, appointment, discharge or like matter;

"minute" means a minute in terms of rule 14.2 of the Ordinary Cause Rules;

"motion" means—

(a) a written motion to which Chapter 15 of the Ordinary Cause Rules applies;

(b) a written motion to which Chapter 15A of those Rules applies; or

(c) a written motion made in an undefended family action in terms of Chapter 33 of those Rules in which no notice of intention to defend has been lodged;

(**1**) 2014 asp 18.

"Ordinary Cause Rules" means the Ordinary Cause Rules 1993(**2**);

"partner" means a person to whom a person is married or with whom the person is registered as a civil partner in terms of sections 1(1), 85(1) or 137(1) of the Civil Partnership Act 2004(**3**);

"sheriff clerk" includes the Sheriff Clerk of Chancery, the Commissary Clerk of Edinburgh and sheriff clerk depute;

"summary cause" has the meaning assigned to it by section 35(1) of the Sheriff Courts (Scotland) Act 1971(**4**); and

"writ" means any document containing written pleadings relating to proceedings in the sheriff court and includes an inventory of estate, a precept of arrestment on a liquid document of debt, a notice of intention to defend and a notice of appearance lodged in an action of multiplepoinding under rule 35.8 of the Ordinary Cause Rules.

Fees payable in sheriff courts

3.—(1) Subject to paragraph (3) and articles 4 to 11—

(a) the fees payable in a sheriff court—

(i) in respect of the matters specified in column 1 of the Table of Fees in Part 1 of Schedule 1 (table of fees payable from 22nd September 2015) are the fees specified in relation to those matters in column 2 of that Table; and

(ii) in respect of the matters specified in column 1 of the Table of Fees in Part 2 of that Schedule (table of fees payable from 22nd September 2015) are the fees specified in relation to those matters in column 2 of that Table;

(b) the fees payable in a sheriff court—

(i) in respect of the matters specified in column 1 of the Table of Fees in Part 1 of Schedule 2 (table of fees payable from 1st April 2016) are the fees specified in relation to those matters in column 2 of that Table; and

(ii) in respect of the matters specified in column 1 of the Table of Fees in Part 2 (table of fees payable from 1st April 2016) of that Schedule are the fees specified in relation to those matters in column 2 of that Table; and

(c) the fees payable in a sheriff court—

(i) in respect of the matters specified in column 1 of the Table of Fees in Part 1 of Schedule 3 (table of fees payable from 1st April 2017) are the fees specified in relation to those matters in column 2 of that Table; and

(ii) in respect of the matters specified in column 1 of the Table of Fees in Part 2 of that Schedule (table of fees payable from 1st April 2017) are the fees specified in relation to those matters in column 2 of that Table.

(2) The fees payable under this Order are to be paid to the sheriff clerk or the auditor of court.

(3) The fees provided for by this Order are not payable by the Crown in the enforcement of the criminal law or in the exercise of powers or the performance of duties arising out of or relating to that enforcement.

(4) No act is required of the sheriff clerk or the auditor of court in connection with a matter specified in relation to any fee prior to—

(**2**) The Ordinary Cause Rules 1993 are in Schedule 1 to the Sheriff Courts (Scotland) Act 1907 (c.51). Schedule 1 was substituted by S.I. 1993/1956 and was last amended by S.S.I. 2015/227 (which, among other amendments, introduced Chapters 15A and 36B).

(**3**) 2004 c.33.

(**4**) 1971 c.58.

(a) the payment of that fee; or

(b) an arrangement being entered into for payment of that fee.

Certain fees payable only once

4. The fees payable in respect of the following matters are payable on one occasion only in respect of a cause—

(a) the matters specified in paragraphs 5, 24, 25 and 28 of the Table of Fees in Part 1 of Schedule 1, 2 or 3; and

(b) the matters specified in paragraphs 4 and 5 of the Table of Fees in Part 2 of Schedule 1, 2 or 3.

Matters included in certain fees

5.—(1) The following matters include, where appropriate, issue of an extract decree—

(a) the matters specified in paragraphs 1, 5 to 8, 16 and 23 of the Table of Fees in Part 1 of Schedule 1, 2 or 3; and

(b) the matters specified in paragraphs 5 and 6 of the Table of Fees in Part 2 of Schedule 1, 2 or 3.

(2) The matter specified in paragraph 13 of the Table of Fees in Part 1 of Schedule 1, 2 or 3 includes, where appropriate, the issue of extracts and the issue of an abbreviate.

(3) The matter specified in paragraph 5 of the Table of Fees in Part 1 of Schedule 1, 2 or 3 does not include, in the case of an application for registration or renewal of registration of a club or miners' welfare institute under the Gaming Act 1968(**5**), the registration or renewal of registration upon such application.

Fees payable in the Sheriff Personal Injury Court

6.—(1) The fees specified in the Table of Fees in Part 2 of Schedule 1, 2 or 3 apply only in relation to proceedings in the Sheriff Personal Injury Court(**6**).

(2) Paragraph (3) applies where a matter is specified both in the Table of Fees in Part 1 of Schedule 1, 2 or 3 (sheriff court) and in the Table of Fees in Part 2 of that Schedule (Sheriff Personal Injury Court).

(3) The fee specified in the Table of Fees in Part 2 shall apply, and the corresponding fee in Part 1 shall not be payable in relation to proceedings in the Sheriff Personal Injury Court.

Cases in which an extra fee is payable

7.—(1) When a summary cause is remitted to the ordinary cause roll, the fees payable in paragraphs 5 and 23 of the Table of Fees in Part 1 of Schedule 1, 2 or 3 become payable in respect of the cause by the persons who would have been required to pay them if the cause had been from its commencement an ordinary cause, less the amount of any fee previously paid by the person concerned in respect of the cause.

(2) When any commissary proceedings, bankruptcy or proceedings under section 4 of the Requirements of Writing (Scotland) Act 1995(**7**) are opposed, the fees specified in paragraphs 5 and 23 of the Table of Fees in Part 1 of Schedule 1, 2 or 3 become payable in respect of the proceedings by the persons who would have been required to pay them if the proceedings had been

(**5**) 2014 asp 18.
(**6**) See article 2 of the All-Scotland Sheriff Court (Sheriff Personal Injury Court) Order 2015 (S.S.I. 2015/213).
(**7**) 2014 asp 18.

from their commencement proceedings to which those paragraphs applied, less the amount of any fee previously paid by the person concerned in respect of the proceedings.

Exemption of certain persons from fees

8.—(1) A fee provided for by this Order is not payable by a person if—

(a) the person or the person's partner is in receipt of income support under the Social Security Contributions and Benefits Act 1992(**8**);

(b) the person is in receipt of an income-based jobseeker's allowance under the Jobseekers Act 1995(**9**);

(c) the person is in receipt of universal credit under Part 1 of the Welfare Reform Act 2012(**10**);

(d) the person is in receipt of civil legal aid within the meaning of section 13(2) of the Legal Aid (Scotland) Act 1986(**11**) in respect of the matter in the Table of Fees in Part 1 or 2 of Schedule 1, 2 or 3 in connection with which the fee is payable;

(e) the fee is payable in connection with a simplified divorce or dissolution of a civil partnership application and the person is in receipt of advice and assistance from a solicitor under the Legal Aid (Scotland) Act 1986 in respect of that application;

(f) the person's solicitor is undertaking work in relation to the matter in the Table of Fees in Part 1 or 2 of Schedule 1, 2 or 3 in connection with which the fee is payable on the basis of any regulations made under section 36 of the Legal Aid (Scotland) Act 1986 providing for legal aid in a matter of special urgency;

(g) the person or the person's partner is in receipt of guarantee credit under the State Pension Credit Act 2002(**12**);

(h) the person or the person's partner is in receipt of working tax credit, provided that—

(i) child tax credit is being paid to the party, or otherwise following a claim for child tax credit made jointly by the members of a couple (as defined in section 3(5A) of the Tax Credits Act 2002(**13**)) which includes the party; or

(ii) there is a disability element or severe disability element (or both) to the tax credit received by the party;

and that the gross annual income taken into account for the calculation of the working tax credit is £16,642 or less; or

(i) the person or the person's partner is in receipt of income-related employment and support allowance under the Welfare Reform Act 2007(**14**).

(2) This article applies to all fees provided for by this Order except—

(a) the fees specified in Part I (Commissary proceedings) of the Table of Fees in Part 1 of Schedule 1, 2 or 3; and

(**8**) 1992 c.4. Section 124, which provides for income support, was amended by the Jobseekers Act 1995 (c.18), section 41 and Schedules 2 and 3; the Welfare Reform and Pensions Act 1999 (c.30), section 70 and Schedule 8, Part IV, paragraph 28; the State Pension Credit Act 2002 (c.16), Schedules 2 and 3; the Civil Partnership Act 2004 (c.33), Schedule 24; the Welfare Reform Act 2007 (c.5), Schedules 3 and 8; the Welfare Reform Act 2009 (c.24), section 3; and the Welfare Reform Act 2012 (c.5), Schedule 14.

(**9**) 1995 c.18.

(**10**) 2012 c.5.

(**11**) 1986 c.47. Section 13(2) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c.40), section 74 and Schedule 8, paragraph 36(3).

(**12**) 2002 c.16.

(**13**) 2002 c.21. Section 3(5A) was substituted for section 3(5) to (6) by the Civil Partnership Act 2004, Schedule 24, paragraph 144(3).

(**14**) 2007 c.5.

(b) in Part II (sheriff court proceedings) of the Table of Fees in Part 1 of Schedule 1, 2 or 3, the fee specified in paragraph 18 (petition for removal of disqualification).

Exemption in connection with estate exempt from inheritance tax

9. Where the estate of a deceased person is exempt from inheritance tax by virtue of section 153A (death of emergency service personnel etc.), 154 (death of active service etc.) or 155A (death of constables and service personnel targeted because of their status) of the Inheritance Tax Act 1984(**15**), there will be no fee payable in respect of the inventory of that estate under paragraph 3(a), (b) or (c) of the Table of Fees in Part 1 of Schedule 1, 2 or 3.

Exemptions relating to particular proceedings

10.—(1) The fees provided for by this Order do not apply to—

(a) any application under—

(i) section 129 of the Consumer Credit Act 1974(**16**) (time orders);

(ii) sections 76 to 79 of the Children (Scotland) Act 1995(**17**) (exclusion orders etc.);

(iii) the Mental Health (Care and Treatment) (Scotland) Act 2003(**18**); or

(iv) any enactment relating to registration of births, marriages or civil partnerships; or

(b) any application or appeal under the Children's Hearings (Scotland) Act 2011(**19**).

(2) Except in relation to the fee specified in paragraph 34 of the Table of Fees in Part 1 of Schedule 1, 2 or 3, the fees otherwise payable by a debtor or creditor in terms of this Order do not apply to any proceedings under the Debtors (Scotland) Act 1987 or the Debt Arrangement and Attachment (Scotland) Act 2002(**20**).

Sheriff Personal Injury Court: exemption of certain motions from fees

11. The fees specified in paragraph 29 of the Table of Fees in Part 1 of Schedule 1, 2 or 3 and in paragraph 1 of the Table of Fees in Part 2 of Schedule 1, 2 or 3 are not payable in respect of motions under the following rules of the Ordinary Cause Rules—

(a) rule 36B.2(2)(b) (motion for a proof);

(b) rule 36B.2(6) (motion for approval of proposed issue);

(c) rule 36B.2(7) (motion for approval of proposed counter-issue); and

(d) rule 36B.10 (motion for application of verdict).

Revocations

12. The instruments listed in column 1 of the table in Schedule 4 are revoked to the extent described in column 3 of that table.

(**15**) 1984 c.51. Sections 153A and 155A were inserted by, and section 154 was last amended by, section 75 of the Finance Act 2015 (c.11).
(**16**) 1974 c.39; section 129 was amended by the Debtors (Scotland) Act 1987 (c. 18) and the Consumer Credit Act 2006 (c.14).
(**17**) 1995 c.36.
(**18**) 2003 asp 13.
(**19**) 2011 asp 1.
(**20**) 2002 asp 17.

St Andrew's House,
Edinburgh
15th June 2015

MICHAEL MATHESON
A member of the Scottish Government

SCHEDULE 1 Article 3(1)(a)

TABLES OF FEES

PART 1

Sheriff court

Payable from 22nd September 2015

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**21**)* £
PART I — COMMISSARY PROCEEDINGS		
1. Petition for—		
(a) appointment of executor;	18	17
(b) restriction of caution;	18	17
(c) special warrant;	18	17
(d) sealing up of repositories or the like;	18	17
(e) appointment of Commissary factor.	18	17
(NOTE: the fee for all petitions in paragraph 1 includes issue of extract decree)		
2. Sealing up repositories or the like, per hour.	29	28
3.		
(a) Receiving and examining inventory of estate, except where sub paragraph (b) or (c) of this paragraph applies—		
(i) where the amount of the estate vested in or belonging beneficially to the deceased, of which confirmation is required, or for which resealing under the Colonial Probates Act 1892(**22**) is required does not exceed—		
£10,000;	No fee	No fee(**23**)
£50,000;	221	212
(ii) where the amount of the estate exceeds £50,000;	221	212

(**21**) Column 3 shows the fees which were payable by virtue of Schedule 1 to S.I. 1997/687 (as substituted by S.S.I. 2012/293) immediately before the coming into force of this Schedule.

(**22**) 1892 c.6.

(**23**) The applicable figure was £5,000.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**21**)* £
(b) receiving and examining additional or corrective inventory of estate or inventory of estate *ad non executa;*	221	212
(c) Receiving and examining inventory of estate where it is declared that confirmation is not required.	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable
4. Commissary copying and extracting.		
(1) Issuing certificate of confirmation—		
(a) if ordered when lodging inventory, each certificate;	6	6
(b) if ordered subsequent to lodging inventory—		
(i) first certificate, including search fee;	18	17
(ii) each subsequent certificate.	6	6
(2) Copy or duplicate confirmation—		
(a) if ordered when lodging inventory;	11	11
(b) if ordered subsequent to lodging inventory—		
(i) duplicate confirmation, including search fee;	23	22
(ii) each subsequent duplicate confirmation if ordered at the same time as the duplicate confirmation in head (i).	11	11
(3) Certified extract confirmation and will (if any)—		
(a) if ordered when lodging inventory;	23	22
(b) if ordered subsequent to lodging inventory—		
(i) certified extract, including search fee;	35	34
(ii) each subsequent certified extract if ordered at the same time as the certified extract in head (i).	23	22

(**21**) Column 3 shows the fees which were payable by virtue of Schedule 1 to S.I. 1997/687 (as substituted by S.S.I. 2012/293) immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**21**)* £
(4) Copy will—		
(a) if ordered when lodging inventory;	6	6
(b) if ordered subsequent to lodging inventory—		
(i) copy will, including search fee;	18	17
(ii) each subsequent copy will if ordered at the same time as the copy will in head (i).	6	6
PART II — SHERIFF COURT PROCEEDINGS ***Initial Writ*** 5. Initial writ in any proceedings not being proceedings for which any other paragraph of this Table prescribes a fee. (NOTE: fee covers issue of extract decree).	94	90
6. European Order for payment in terms of EU Regulation 1896/2006 – application for European Order for payment.	94	90
Divorce and dissolution of civil partners 7. Initial writ in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of a civil partnership application). (NOTE: fee covers issue of extract decree).	147	141
Application for simplified divorce and simplified dissolution of civil partnership 8. Any application (inclusive of all procedures other than those specified at paragraphs 9 and 38). (NOTE: fee covers issue of extract decree).	111	107
9. Subsequent application upon change of circumstances by party.	29	28
Summary warrant 10. Application for summary warrant.	70	67
Bankruptcy 11. Petition for sequestration of estates or petition for recall of award of sequestration.	111	107
12. Miscellaneous applications, including appeals under the Bankruptcy (Scotland) Act 1985(**24**).	58	56
13. Application for the approval of composition.	35	34

(**21**) Column 3 shows the fees which were payable by virtue of Schedule 1 to S.I. 1997/687 (as substituted by S.S.I. 2012/293) immediately before the coming into force of this Schedule.

(**24**) 1985 c.66.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**21**)* £
Declarator and petitions for completion of title for the Sheriff of Chancery		
14. Application for declarator and petition for completion of title to the Sheriff of Chancery.	223	214
15. Issue of chancery extract.	105	101
Summary cause		
16. Summons - summary cause (including small claim and European small claim procedure) (NOTE: fee covers issue of extract decree)—		
(a) actions for payment of money of £200 or less (or 250 euros for European small claims);	18	17
(b) other actions;	76	73
(c) on the marking of an appeal.	58	56
Criminal procedure		
17. Complaint.	35	34
***Road Traffic Offenders Act 1988*(25)**		
18. Petition for removal of disqualification.	87	84
Miscellaneous		
19. Application under section 4 of the Requirements of Writing (Scotland) Act 1995(**26**).	18	17
20. Caveat.	35	34
21. Any proceedings under section 12 or 18 of the Civil Jurisdiction and Judgments Act 1982(**27**).	23	22
22. Note in a liquidation or judicial factory.	35	34
Defender's responses		
23. First writ, reponing note, application for recall of decree or attendance to state a defence or oppose an interim order (fee payable by each defender or compearer) (NOTE: fee covers issue of extract decree)—		

(**21**) Column 3 shows the fees which were payable by virtue of Schedule 1 to S.I. 1997/687 (as substituted by S.S.I. 2012/293) immediately before the coming into force of this Schedule.

(**25**) **1988 c.53.**

(**26**) 1995 c.7.

(**27**) 1982 c.27. Section 12 was amended by the Civil Jurisdictions and Judgements Act 1991 (c.12), Schedule 2, paragraph 7 and section 18 was amended by the Insolvency Act 1985 (c.65), Schedule 8, paragraph 36, the Insolvency Act 1986 (c.45), Schedule 14, the Courts and Legal Services Act 1990 (c.41), Schedule 16, paragraph 41, the Criminal Justice Act 1993 (c.36), section 24, the Drug Trafficking Act 1994 (c.37), Schedule 1, paragraph 6, the Criminal Justice (Scotland) Act 1995 (c.20), Schedule 6, paragraph 183 and the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40), Schedule 4, paragraph 42.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**21**)* £
(a) in proceedings to which paragraph 5 of this Table applies;	94	90
(b) in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of civil partnership).	147	141
Civil court procedure ***Payable by pursuer*** 24. Lodging of a certified copy record under the Ordinary Cause Rules (NOTE: fee payable only once in respect of a cause).	111	107
25. Lodging of a certified closed record under the additional procedure of the Ordinary Cause Rules.	111	107
26. Fixing, allocating or assigning of a proof, a debate or a hearing in a summary or miscellaneous application on the merits of the cause.	53	51
27. For each day or part thereof of proof, debate or hearing in a summary or miscellaneous application on the merits of the cause (NOTE: not payable if the proof, debate or hearing does not proceed on that day).	223	214
28. Initial lodging of affidavits in a family action where proof by affidavit evidence has been allowed.	65	62
Payable by any party (including pursuer) 29. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	47	45
30. Marking an appeal to the Sheriff Principal in any proceedings (other than as provided for in paragraph 16(c) of this Table).	111	107
Sheriff court books 31. Recording protest of a bill or promissory note (NOTE: Extracts to be charged as in paragraph 36 of this Table).	23	22
32. Preservation of deeds, each deed (NOTE: This includes recording and engrossing. If extracts are required, a separate fee is to be charged as in paragraph 36 of this Table).	11	11
Miscellaneous office procedures 33. Lodging each set of plans or other Parliamentary deposit.	70	67

(**21**) Column 3 shows the fees which were payable by virtue of Schedule 1 to S.I. 1997/687 (as substituted by S.S.I. 2012/293) immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**21**)* £
34. Inspection of report of auction and the auditor of court's report.	18	17
35. Search and report service as instructed by a trade protection society, licensed credit reference agency or trade publication of protests of relevant court records as appropriately included in the Ordinary Cause Rules, with the fees below payable in advance—		
weekly for 12 months.	339	326(**28**)
36. Recording, engrossing, extracting, printing or copying of all documents, except as provided for at paragraph 4 of this Table (if a search is required an additional fee will be charged as per paragraph 37 of this Table)—		
(a) by photocopying or otherwise producing a printed or typed copy—		
(i) up to 10 pages;	6	5
(ii) each page or part thereof in excess of 10 pages;	0.50	0.50
(b) for a copy of a document in electronic form.	6	5
(NOTE: Recording in Sheriff Court Register of Deeds to be charged as in paragraph 31.)		
37. Any search of records or archives, except as provided for at paragraph 4 of this Table, per 30 minutes or part thereof—	11	(**29**)
In addition, correspondence fee where applicable.	11	11
38. Citation of, or intimation to, any person or persons by sheriff officer as instructed by the sheriff clerk.	11 plus sheriff officer's fee	11 plus sheriff officer's fee
PART III — AUDITOR OF COURT		
39. Taxing accounts of expenses incurred in judicial proceedings remitted to the auditor of court for taxation—		
(a) lodging account for taxation.	42	40
(b) taxing accounts of expenses etc.—		
(i) up to £400;	20	20
(ii) for every additional £100 or part thereof.	5	5

(**21**) Column 3 shows the fees which were payable by virtue of Schedule 1 to S.I. 1997/687 (as substituted by S.S.I. 2012/293) immediately before the coming into force of this Schedule.
(**28**) A different fee structure previously applied.
(**29**) A different fee structure previously applied.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**21**)* £
(NOTE: Fee to be determined by auditor of court on amount of account as submitted.)		
(c) cancellation of diet of taxation—		
(i) where written notice of cancellation received from receiving party after 4.00 pm on the fourth working day before the day of diet of taxation;	50% of fee that would have been payable under sub-paragraph (b) of this paragraph	50% of fee that would have been payable under sub-paragraph (b) of this paragraph
(ii) where written notice of cancellation received from receiving party after 4.00 pm on the second working day before the day of the diet of taxation.	75% of fee that would have been payable under sub-paragraph (b) of this paragraph	75% of fee that would have been payable under sub-paragraph (b) of this paragraph

PART 2

Sheriff Personal Injury Court

Payable from 22nd September 2015

Column 1 (Matters)	*Column 2 (Fee Payable)* £
1. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	53
2. Fixing, allocating or assigning of a proof or trial, a debate or a hearing on the merits of the cause.	58
3. Hearing fee: per 30 minutes or part thereof.	75
4. Lodging a certified copy closed record. (NOTE: fee payable only once in respect of a cause).	105
5. Initial writ. (NOTE: fee covers issue of extract decree).	210
6. Lodging defences (fee payable by each defender or compearer). (NOTE: fee covers issue of extract decree).	210
7. Citation of a civil jury. (NOTE: includes outlays incurred in citing and countermanding, and is payable on the lodging of a proposed issue for jury trial.)	292
8. Certified copy of a document	18

(**21**) Column 3 shows the fees which were payable by virtue of Schedule 1 to S.I. 1997/687 (as substituted by S.S.I. 2012/293) immediately before the coming into force of this Schedule.

SCHEDULE 2 Article 3(1)(b)

TABLES OF FEES

PART 1

Sheriff court

Payable from 1st April 2016

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**30**)* £
PART I — COMMISSARY PROCEEDINGS		
1. Petition for—		
(a) appointment of executor;	18	18
(b) restriction of caution;	18	18
(c) special warrant;	18	18
(d) sealing up of repositories or the like;	18	18
(e) appointment of Commissary factor.	18	18
(NOTE: the fee for all petitions in paragraph 1 includes issue of extract decree)		
2. Sealing up repositories or the like, per hour.	30	29
3.		
(a) Receiving and examining inventory of estate, except where sub paragraph (b) or (c) of this paragraph applies—		
(i) where the amount of the estate vested in or belonging beneficially to the deceased, of which confirmation is required, or for which resealing under the Colonial Probates Act 1892 is required does not exceed—		
£10,000;	No fee	No fee
£50,000;	225	221
(ii) where the amount of the estate exceeds £50,000;	225	221
(b) receiving and examining additional or corrective inventory of estate or inventory of estate *ad non executa;*	225	221

(**30**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**30**)* £
(c) Receiving and examining inventory of estate where it is declared that confirmation is not required.	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable
4. Commissary copying and extracting.		
(1) Issuing certificate of confirmation—		
(a) if ordered when lodging inventory, each certificate;	7	6
(b) if ordered subsequent to lodging inventory—		
(i) first certificate, including search fee;	18	17
(ii) each subsequent certificate.	7	6
(2) Copy or duplicate confirmation—		
(a) if ordered when lodging inventory;	12	11
(b) if ordered subsequent to lodging inventory—		
(i) duplicate confirmation, including search fee;	24	23
(ii) each subsequent duplicate confirmation if ordered at the same time as the duplicate confirmation in head (i).	12	11
(3) Certified extract confirmation and will (if any)—		23
(a) if ordered when lodging inventory;	24	
(b) if ordered subsequent to lodging inventory—		
(i) certified extract, including search fee;	36	35
(ii) each subsequent certified extract if ordered at the same time as the certified extract in head (i).	24	23
(4) Copy will—		
(a) if ordered when lodging inventory;	7	6
(b) if ordered subsequent to lodging inventory—	18	17

(**30**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**30**)* £
(i) copy will, including search fee; (ii) each subsequent copy will if ordered at the same time as the copy will in head (i).	7	6
PART II — SHERIFF COURT PROCEEDINGS ***Initial Writ*** 5. Initial writ in any proceedings not being proceedings for which any other paragraph of this Table prescribes a fee. (NOTE: fee covers issue of extract decree).	96	94
6. European Order for payment in terms of EU Regulation 1896/2006 – application for European Order for payment.	96	94
Divorce and dissolution of civil partners 7. Initial writ in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of a civil partnership application). (NOTE: fee covers issue of extract decree).	150	147
Application for simplified divorce and simplified dissolution of civil partnership 8. Any application (inclusive of all procedures other than those specified at paragraphs 9 and 38). (NOTE: fee covers issue of extract decree).	113	111
9. Subsequent application upon change of circumstances by party.	30	29
Summary warrant 10. Application for summary warrant.	71	70
Bankruptcy 11. Petition for sequestration of estates or petition for recall of award of sequestration.	113	111
12. Miscellaneous applications, including appeals under the Bankruptcy (Scotland) Act 1985.	59	58
13. Application for the approval of composition.	36	35
Declarator and petitions for completion of title for the Sheriff of Chancery 14. Application for declarator and petition for completion of title to the Sheriff of Chancery.	227	223
15. Issue of chancery extract.	107	105

(**30**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**30**)* £
Summary cause		
16. Summons - summary cause (including small claim and European small claim procedure) (NOTE: fee covers issue of extract decree)—		
(a) actions for payment of money of £200 or less (or 250 euros for European small claims);	18	18
(b) other actions;	78	76
(c) on the marking of an appeal.	59	58
Criminal procedure		
17. Complaint.	36	35
***Road Traffic Offenders Act 1988*(31)**		
18. Petition for removal of disqualification.	89	87
Miscellaneous		
19. Application under section 4 of the Requirements of Writing (Scotland) Act 1995.	18	18
20. Caveat.	36	35
21. Any proceedings under section 12 or 18 of the Civil Jurisdiction and Judgments Act 1982.	24	23
22. Note in a liquidation or judicial factory.	36	35
Defender's responses		
23. First writ, reponing note, application for recall of decree or attendance to state a defence or oppose an interim order (fee payable by each defender or compearer) (NOTE: fee covers issue of extract decree) —		
(a) in proceedings to which paragraph 5 of this Table applies;	96	94
(b) in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of civil partnership).	150	147
Civil court procedure		
Payable by pursuer		
24. Lodging of a certified copy record under the Ordinary Cause Rules (NOTE: fee payable only once in respect of a cause).	113	111
25. Lodging of a certified closed record under the additional procedure of the Ordinary Cause Rules.	113	111

(**30**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

(**31**) **1988 c.53.**

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**30**)* £
26. Fixing, allocating or assigning of a proof, a debate or a hearing in a summary or miscellaneous application on the merits of the cause.	54	53
27. For each day or part thereof of proof, debate or hearing in a summary or miscellaneous application on the merits of the cause (NOTE: not payable if the proof, debate or hearing does not proceed on that day).	227	223
28. Initial lodging of affidavits in a family action where proof by affidavit evidence has been allowed.	66	65
Payable by any party (including pursuer) 29. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	48	47
30. Marking an appeal to the Sheriff Principal in any proceedings (other than as provided for in paragraph 16(c) of this Table).	113	111
Sheriff court books 31. Recording protest of a bill or promissory note (NOTE: Extracts to be charged as in paragraph 36 of this Table).	24	23
32. Preservation of deeds, each deed (NOTE: This includes recording and engrossing. If extracts are required, a separate fee is to be charged as in paragraph 36 of this Table).	12	11
Miscellaneous office procedures 33. Lodging each set of plans or other Parliamentary deposit.	71	70
34. Inspection of report of auction and the auditor of court's report.	18	18
35. Search and report service as instructed by a trade protection society, licensed credit reference agency or trade publication of protests of relevant court records as appropriately included in the Ordinary Cause Rules, with the fees below payable in advance— weekly for 12 months.	346	339
36. Recording, engrossing, extracting, printing or copying of all documents, except as provided for at paragraph 4 of this Table (if a search is required an additional fee will be charged as per paragraph 37 of this Table)—		

(**30**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**30**)* £
(a) by photocopying or otherwise producing a printed or typed copy—		
(i) up to 10 pages;	6	6
(ii) each page or part thereof in excess of 10 pages;	0.50	0.50
(b) for a copy of a document in electronic form.	6	6
(NOTE: Recording in Sheriff Court Register of Deeds to be charged as in paragraph 31.)		
37. Any search of records or archives, except as provided for at paragraph 4 of this Table, per 30 minutes or part thereof.—	12	11
In addition, correspondence fee where applicable.	12	11
38. Citation of, or intimation to, any person or persons by sheriff officer as instructed by the sheriff clerk.	12 plus sheriff officer's fee	11 plus sheriff officer's fee
PART III — AUDITOR OF COURT		
39. Taxing accounts of expenses incurred in judicial proceedings remitted to the auditor of court for taxation—		
(a) lodging account for taxation.	43	42
(b) taxing accounts of expenses etc.—		
(i) up to £400;	20	20
(ii) for every additional £100 or part thereof.	5	5
(NOTE: Fee to be determined by auditor of court on amount of account as submitted.)		
(c) cancellation of diet of taxation—		
(i) where written notice of cancellation received from receiving party after 4.00 pm on the fourth working day before the day of diet of taxation;	50% of fee that would have been payable under sub-paragraph (b) of this paragraph	50% of fee that would have been payable under sub-paragraph (b) of this paragraph
(ii) where written notice of cancellation received from receiving party after 4.00 pm on the second working day before the day of the diet of taxation.	75% of fee that would have been payable under sub-paragraph (b) of this paragraph	75% of fee that would have been payable under sub-paragraph (b) of this paragraph

(**30**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

PART 2

Sheriff Personal Injury Court

Payable from 1st April 2016

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**32**)* £
1. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	54	53
2. Fixing, allocating or assigning of a proof or trial, a debate or a hearing on the merits of the cause	59	58
3. Hearing fee: per 30 minutes or part thereof.	77	75
4. Lodging a certified copy closed record. (NOTE: fee payable only once in respect of a cause).	107	105
5. Initial writ. (NOTE: fee covers issue of extract decree).	214	210
6. Lodging defences (fee payable by each defender or compearer). (NOTE: fee covers issue of extract decree).	214	210
7. Citation of a civil jury. (NOTE: includes outlays incurred in citing and countermanding, and is payable on the lodging of a proposed issue for jury trial.)	298	292
8. Certified copy of a document	18	18

(**32**) Column 3 shows the fees which were payable by virtue of Part 2 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

SCHEDULE 3 Article 3(1)(c)

TABLES OF FEES

PART 1

Sheriff court

Payable from 1st April 2017

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**33**)* £
PART I — COMMISSARY PROCEEDINGS		
1. Petition for—		
(a) appointment of executor;	18	18
(b) restriction of caution;	18	18
(c) special warrant;	18	18
(d) sealing up of repositories or the like;	18	18
(e) appointment of Commissary factor.	18	18
(NOTE: the fee for all petitions in paragraph 1 includes issue of extract decree)		
2. Sealing up repositories or the like, per hour.	31	30
3.		
(a) Receiving and examining inventory of estate, except where sub paragraph (b) or (c) of this paragraph applies—		
(i) where the amount of the estate vested in or belonging beneficially to the deceased, of which confirmation is required, or for which resealing under the Colonial Probates Act 1892 is required does not exceed—		
£10,000;	No fee	No fee
£50,000;	230	225
(ii) where the amount of the estate exceeds £50,000;	230	225
(b) receiving and examining additional or corrective inventory of estate or inventory of estate *ad non executa;*	230	225

(**33**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**33**)* £
(c) Receiving and examining inventory of estate where it is declared that confirmation is not required.	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable
4. Commissary copying and extracting.		
(1) Issuing certificate of confirmation—		
(a) if ordered when lodging inventory, each certificate;	7	7
(b) if ordered subsequent to lodging inventory—		
(i) first certificate, including search fee;	18	18
(ii) each subsequent certificate.	7	7
(2) Copy or duplicate confirmation—		
(a) if ordered when lodging inventory;	12	12
(b) if ordered subsequent to lodging inventory—		
(i) duplicate confirmation, including search fee;	25	24
(ii) each subsequent duplicate confirmation if ordered at the same time as the duplicate confirmation in head (i).	12	12
(3) Certified extract confirmation and will (if any)—		
(a) if ordered when lodging inventory;	25	24
(b) if ordered subsequent to lodging inventory—		
(i) certified extract, including search fee;	37	36
(ii) each subsequent certified extract if ordered at the same time as the certified extract in head (i).	25	24
(4) Copy will—		
(a) if ordered when lodging inventory;	7	7
(b) if ordered subsequent to lodging inventory—	18	18

(**33**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**33**)* £
(i) copy will, including search fee; (ii) each subsequent copy will if ordered at the same time as the copy will in head (i).	7	7
PART II — SHERIFF COURT PROCEEDINGS ***Initial Writ*** 5. Initial writ in any proceedings not being proceedings for which any other paragraph of this Table prescribes a fee. (NOTE: fee covers issue of extract decree).	98	96
6. European Order for payment in terms of EU Regulation 1896/2006 – application for European Order for payment.	98	96
Divorce and dissolution of civil partners 7. Initial writ in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of a civil partnership application). (NOTE: fee covers issue of extract decree).	153	150
Application for simplified divorce and simplified dissolution of civil partnership 8. Any application (inclusive of all procedures other than those specified at paragraphs 9 and 38). (NOTE: fee covers issue of extract decree).	115	113
9. Subsequent application upon change of circumstances by party.	31	30
Summary warrant 10. Application for summary warrant.	72	71
Bankruptcy 11. Petition for sequestration of estates or petition for recall of award of sequestration.	115	113
12. Miscellaneous applications, including appeals under the Bankruptcy (Scotland) Act 1985.	60	59
13. Application for the approval of composition.	37	36
Declarator and petitions for completion of title for the Sheriff of Chancery 14. Application for declarator and petition for completion of title to the Sheriff of Chancery.	232	227
15. Issue of chancery extract.	109	107

(**33**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**33**)* £
Summary cause		
16. Summons - summary cause (including small claim and European small claim procedure) (NOTE: fee covers issue of extract decree)—		
(a) actions for payment of money of £200 or less (or 250 euros for European small claims);	18	18
(b) other actions;	80	78
(c) on the marking of an appeal.	60	59
Criminal procedure		
17. Complaint.	37	36
***Road Traffic Offenders Act 1988*(34)**		
18. Petition for removal of disqualification.	91	89
Miscellaneous		
19. Application under section 4 of the Requirements of Writing (Scotland) Act 1995.	18	18
20. Caveat.	37	36
21. Any proceedings under section 12 or 18 of the Civil Jurisdiction and Judgments Act 1982.	25	24
22. Note in a liquidation or judicial factory.	37	36
Defender's responses		
23. First writ, reponing note, application for recall of decree or attendance to state a defence or oppose an interim order (fee payable by each defender or compearer) (NOTE: fee covers issue of extract decree) —		
(a) in proceedings to which paragraph 5 of this Table applies;	98	96
(b) in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of civil partnership).	153	150
Civil court procedure		
Payable by pursuer		
24. Lodging of a certified copy record under the Ordinary Cause Rules (NOTE: fee payable only once in respect of a cause).	115	113
25. Lodging of a certified closed record under the additional procedure of the Ordinary Cause Rules.	115	113

(**33**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

(**34**) **1988 c.53.**

Column 1 *(Matters)*	*Column 2* *(Fee Payable)* £	*Column 3* *(Fee Formerly Payable)(**33**)* £
26. Fixing, allocating or assigning of a proof, a debate or a hearing in a summary or miscellaneous application on the merits of the cause.	55	54
27. For each day or part thereof of proof, debate or hearing in a summary or miscellaneous application on the merits of the cause (NOTE: not payable if the proof, debate or hearing does not proceed on that day).	232	227
28. Initial lodging of affidavits in a family action where proof by affidavit evidence has been allowed.	67	66
Payable by *a*ny party (including pursuer)		
29. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	49	48
30. Marking an appeal to the Sheriff Principal in any proceedings (other than as provided for in paragraph 16(c) of this Table).	115	113
Sheriff court books		
31. Recording protest of a bill or promissory note (NOTE: Extracts to be charged as in paragraph 36 of this Table).	25	24
32. Preservation of deeds, each deed (NOTE: This includes recording and engrossing. If extracts are required, a separate fee is to be charged as in paragraph 36 of this Table).	12	12
Miscellaneous office procedures		
33. Lodging each set of plans or other Parliamentary deposit.	72	71
34. Inspection of report of auction and the auditor of court's report.	18	18
35. Search and report service as instructed by a trade protection society, licensed credit reference agency or trade publication of protests of relevant court records as appropriately included in the Ordinary Cause Rules, with the fees below payable in advance—		
weekly for 12 months.	353	346
36. Recording, engrossing, extracting, printing or copying of all documents, except as provided for at paragraph 4 of this Table (if a search is required an additional fee will be charged as per paragraph 37 of this Table)—	6	6

(**33**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**33**)* £
(a) by photocopying or otherwise producing a printed or typed copy—		
(i) up to 10 pages;		
(ii) each page or part thereof in excess of 10 pages;	0.50	0.50
(b) for a copy of a document in electronic form.	6	6
(NOTE: Recording in Sheriff Court Register of Deeds to be charged as in paragraph 31.)		
37. Any search of records or archives, except as provided for at paragraph 4 of this Table, per 30 minutes or part thereof.—	12	12
In addition, correspondence fee where applicable.	12	12
38. Citation of, or intimation to, any person or persons by sheriff officer as instructed by the sheriff clerk.	12 plus sheriff officer's fee	12 plus sheriff officer's fee
PART III — AUDITOR OF COURT		
39. Taxing accounts of expenses incurred in judicial proceedings remitted to the auditor of court for taxation—		
(a) lodging account for taxation.	44	43
(b) taxing accounts of expenses etc.—		
(i) up to £400;	20	20
(ii) for every additional £100 or part thereof.	5	5
(NOTE: Fee to be determined by auditor of court on amount of account as submitted.)		
(c) cancellation of diet of taxation—		
(i) where written notice of cancellation received from receiving party after 4.00 pm on the fourth working day before the day of diet of taxation;	50% of fee that would have been payable under sub-paragraph (b) of this paragraph	50% of fee that would have been payable under sub-paragraph (b) of this paragraph
(ii) where written notice of cancellation received from receiving party after 4.00 pm on the second working day before the day of the diet of taxation.	75% of fee that would have been payable under sub-paragraph (b) of this paragraph	75% of fee that would have been payable under sub-paragraph (b) of this paragraph

(**33**) Column 3 shows the fees which were payable by virtue of Part 1 of Schedule 1 to this Order immediately before the coming into force of this Schedule.

PART 2

Sheriff Personal Injury Court

Payable from 1st April 2017

Column 1 (Matters)	*Column 2 (Fee Payable)* £	*Column 3 (Fee Formerly Payable)(**35**)* £
1. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	55	54
2. Fixing, allocating or assigning of a proof or trial, a debate or a hearing on the merits of the cause	60	59
3. Hearing fee: per 30 minutes or part thereof.	79	77
4. Lodging a certified copy closed record. (NOTE: fee payable only once in respect of a cause).	109	107
5. Initial writ. (NOTE: fee covers issue of extract decree).	218	214
6. Lodging defences (fee payable by each defender or compearer). (NOTE: fee covers issue of extract decree).	218	214
7. Citation of a civil jury. (NOTE: includes outlays incurred in citing and countermanding, and is payable on the lodging of a proposed issue for jury trial.)	304	298
8. Certified copy of a document	18	18

SCHEDULE 4 Article 12

Revocations

Column 1 (Instrument)	*Column 2 (Citation)*	*Column 3 (Extent of revocation)*
The Sheriff Court Fees Order 1997	S.I. 1997/687	The whole instrument
The Sheriff Court Fees Amendment Order 1999	S.I. 1999/754	The whole instrument
The Sheriff Court Fees Amendment Order 2002	S.S.I. 2002/269	The whole instrument
The Sheriff Court Fees Amendment Order 2003	S.S.I. 2003/97	The whole instrument

(**35**) Column 3 shows the fees which were payable by virtue of Part 2 of Schedule 2 to this Order immediately before the coming into force of this Schedule.

Column 1 *(Instrument)*	*Column 2* *(Citation)*	*Column 3* *(Extent of revocation)*
The Mental Health (Care and Treatment) (Scotland) Act 2003 (Modification of Subordinate Legislation) Order 2005	S.S.I. 2005/445	Paragraph 26 of Schedule 1
The Sheriff Court Fees Amendment Order 2007	S.S.I. 2007/318	The whole instrument
The Sheriff Court Fees Amendment Order 2008	S.S.I. 2008/239	The whole instrument
The Sheriff Court Fees Amendment Order 2009	S.S.I. 2009/89	The whole instrument
The Sheriff Court Fees Amendment Order 2012	S.S.I. 2012/293	The whole instrument
The Welfare Reform (Consequential Amendments) (Scotland) (No. 2) Regulations 2013	S.S.I. 2013/137	Regulation 10

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the fees payable in the sheriff court, to the sheriff clerk or the auditor of court (as appropriate).

Article 3 and Schedules 1 to 3 specify fee levels payable in a sheriff court in respect of certain matters.

- The fee levels for the period from 22nd September 2015 until 31st March 2016 are given effect by the Table of Fees in Schedule 1.
- The fee levels for the period from 1st April 2016 until 31st March 2017 are given effect by substituting the Table of Fees in Schedule 1 with the Table of Fees in Schedule 2.
- The fee levels from 1st April 2017 onwards are given effect by substituting the Table of Fees in Schedule 2 with the Table of Fees in Schedule 3.

Article 3(3) provides that fees are not to be payable by the Crown in the enforcement of the criminal law or in the exercise of powers or the performance of duties arising out of or relating to that enforcement.

Article 3(4) provides that the relevant office holders are not required to do any act in connection with the matter specified in relation to that fee without either prior payment of the fee or entering into an arrangement for payment of the fee.

Article 4 provides that certain fees are payable only once.

Article 5 provides for matters included in certain fees.

Article 6 provides for fees payable in the Sheriff Personal Injury Court.

Article 7 provides for cases in which an extra fee is payable

Article 8 provides exemption for certain persons from fees.

Article 9 provides exemption in connection with estates exempt from inheritance tax.

Article 10 provides exemption relating to particular proceedings.

Article 11 provides for certain motions in the Sheriff Personal Injury Court to be exempted from fees.

Article 12 introduces Schedule 4 which revokes the Sheriff Court Fees Order 1997 together with amending Orders and provisions.

A Business and Regulatory Impact Assessment has been prepared for this Order and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government Justice Directorate, St Andrews House, Edinburgh EH1 3DG.