
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 150

SHERIFF COURT, SCOTLAND

Act of Sederunt (Fees of Sheriff Officers) 1999

Made - - - - - *19th November 1999*
Laid before the Scottish
Parliament - - - - - *26th 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 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) 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 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
19th November 1999

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, S.I. 1996/2858, S.I. 1997/2824 and S.I. 1998/2669

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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	£21.20	£32.75	£42.35	£34.70	£51.00	£66.45
(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	£7.10	£7.10	£7.10	£11.60	£11.60	£11.60
(b) Postal service	£10.25	£10.25	£10.25	£17.10	£17.10	£17.10
(c) Postal diligence	£15.65	£15.65	£15.65	£25.75	£25.75	£25.75
2. Interdicts				£95.40	£95.40	£95.40
(a) Interdict only						
(i) each person at a different address						

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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				£20.95	£20.95	£20.95
Interdict (b) and service				£107.10	£107.10	£107.10
(i) each person at a different address						
(ii) each additional person at the same address				£32.65	£32.65	£32.65
3. Poinding	£4.70	£4.70	£4.70	£7.20	£7.20	£7.20
(a) Serving notice of entry						
Arriving (b) poinding and endeavouring, but being unable, to execute it for whatever reason	£36.90	£36.90	£36.90	£54.05	£54.05	£54.05
Arriving (c) and executing poinding where appraised value	£63.25	£63.25	£63.25	£63.25	£63.25	£63.25

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
is						
–						
(i) £445 or under						
(ii) Over £445 and up to £1,788	£98.00	£98.00	£98.00	£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						
Reporting (6.10 pointing	£6.10	£6.10	£6.10	£6.10	£6.10	£6.10
4. Pointing of motor	£63.25	£63.25	£63.25	£63.25	£63.25	£63.25

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
vehicles, heavy plant or machinery						
(a) Arranging and executing pounding where appraised value is —						
(i) £445 or under						
(ii) Over £445 and up to £1,978	£98.00	£98.00	£98.00	£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						
Reporting (b) pounding	£6.10	£6.10	£6.10	£6.10	£6.10	£6.10
5. Sequestration for rent, pounding of ground	£34.40	£34.40	£34.40	£51.55	£51.55	£51.55
(a) Arranging for						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
Arranging (b) and effecting sequestration where the appraised value is –						
(i) £445 or under	£60.70	£60.70	£60.70			
(ii) Over £445 and up to £1,788	£95.40	£95.40	£95.40			
(iii) Over £1,788 as in item 3(c)						
(iii) above				£95.40	£95.40	£95.40
Arranging (c) and effecting ordinary sequestration						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
or pointing of the ground						
Service(d) – as in item 1(a) or (b) above, as the case may be						
6. Sales	£9.95	£9.95	£9.95	£9.95	£9.95	£9.95
(a) (i) Application for warrant of sale or variation of warrant of sale						
(ii) Intimating application – as in item 1(a) or (b) above, as the case may be						
(b) (i) Arranging warrant sale, preparing advertisement and	£15.60	£15.60	£15.60	£15.60	£15.60	£15.60

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
		giving public notice				
(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) Officer attending warrant sale alone conducted by auctioneer	£27.15	£46.00	£58.10	£27.15	£46.00	£58.10
(d) (i) Officer and witness attending warrant sale and being unable	£34.40	£34.40	£34.40	£51.55	£51.55	£51.55

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(ii) Officer and witness conducting sale where the appraised value is £445 or under	£60.70	£60.70	£60.70	£60.70	£60.70	£60.70
(iii) And where it is over £445	£95.40	£95.40	£95.40	£95.40	£95.40	£95.40
7. Ejection	£34.40	£34.40	£34.40	£51.55	£51.55	£51.55
(a) Arranging ejection						
(b) Arranging and executing ejection	£70.60	£70.60	£70.60	£80.10	£80.10	£80.10
8. Taking possession of effects	£34.40	£34.40	£34.40	£51.55	£51.55	£51.55
(a) Arranging possession						
(b) Arranging and effecting possession	£70.60	£70.60	£70.60	£95.40	£95.40	£95.40
9. Apprehensions				£51.55	£51.55	£51.55
(a) Arranging apprehension						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
Arranging (b) and apprehending				£95.40	£95.40	£95.40
10. Taking possession of children				£51.55	£51.55	£51.55
(a) Arranging to take possession						
Arranging (b) and taking possession of each child				£95.40	£95.40	£95.40
11. Arresting vessels, aircraft and cargo	£34.40	£34.40	£34.40	£51.55	£51.55	£51.55
(a) Arranging to arrest						
Arranging (b) and effecting arrestment	£86.75	£86.75	£86.75	£157.70	£157.70	£157.70
12. Miscellaneous	£11.95	£11.95	£11.95	£11.95	£11.95	£11.95
(a) Making any report or application under the Act of 1987 with the exception of reporting a poinding						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
G(1)(b)ting (1) any receipt required to be issued under the Act of 1987	£6.10	£6.10	£6.10	£6.10	£6.10	£6.10
Arr(1)(g)ing (1) for locksmith or tradesman to be in attendance	£3.85	£3.85	£3.85	£3.85	£3.85	£3.85
G(1)(b)ting (1) 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	£11.95	£11.95	£11.95
Exc(1)(e)ting (1) warrant to open	£11.95	£11.95	£11.95	£11.95	£11.95	£11.95

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	lockfast places					
(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					

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 3.25%. The last increase was in the Act of Sederunt (Fees of Sheriff Officers) 1998 (S.I. [1998/2669](#)).