

2000 No. 419

SHERIFF COURT

Act of Sederunt (Fees of Sheriff Officers) 2000

<i>Made</i>	<i>24th November 2000</i>
<i>Laid before the Scottish Parliament</i>	<i>28th November 2000</i>
<i>Coming into force</i>	<i>1st January 2001</i>

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(a), section 6 of the Execution of Diligence (Scotland) Act 1926(b) 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) 2000 and shall come into force on 1st January 2001.

(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(c) 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.

Rodger of Earlsferry
Lord President
I.P.D.

Edinburgh
24th November 2000

(a) 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).
(b) 1926 c.16.
(c) S.I. 1994/392, as amended by S.I. 1994/3267, S.I. 1995/3095, S.I. 1996/2858, S.I. 1997/2824, S.I. 1998/2669 and S.S.I. 1999/150.

SCHEDULE
TABLE OF FEES

<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>
1. <i>Service or intimation of a document</i>						
(a) <i>Service</i>						
(i) each person at a different address	£21.95	£33.90	£43.85	£35.95	£52.80	£68.80
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987	£7.35	£7.35	£7.35	£12.00	£12.00	£12.00
(b) <i>Postal service</i>	£10.60	£10.60	£10.60	£17.70	£17.70	£17.70
(c) <i>Postal diligence</i>	£16.20	£16.20	£16.20	£26.65	£26.65	£26.65
2. <i>Interdicts</i>						
(a) <i>Interdict only</i>						
(i) each person at a different address				£98.80	£98.80	£98.80
(ii) each additional person at the same address				£21.70	£21.70	£21.70
(b) <i>Interdict and service</i>						
(i) each person at a different address				£110.90	£110.90	£110.90
(ii) each additional person at the same address				£33.80	£33.80	£33.80
3. <i>Poidings</i>						
(a) <i>Serving notice of entry</i>	£4.85	£4.85	£4.85	£7.45	£7.45	£7.45
(b) <i>Arranging poiding and endeavouring, but being unable, to execute it for whatever reason</i>	£38.20	£38.20	£38.20	£55.95	£55.95	£55.95
(c) <i>Arranging and executing poiding where appraised value is—</i>						
(i) £461 or under	£65.50	£65.50	£65.50	£65.50	£65.50	£65.50
(ii) Over £461 and up to £1,851	£101.50	£101.50	£101.50	£101.50	£101.50	£101.50

<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>
(iii) Over £1,851 and up to £18,647 – 10% of the appraised value						
(iv) Over £18,647 and up to £93,224 – 10% of the first £18,647, and 5% thereafter						
(v) Over £93,224 – 10% of the first £18,647, 5% thereafter up to £93,224 and 1% thereafter						
(d) Reporting poinding	£6.30	£6.30	£6.30	£6.30	£6.30	£6.30
4. <i>Poindings of motor vehicles, heavy plant or machinery</i>						
(a) Arranging and executing poinding where appraised value is–						
(i) £461 or under	£65.50	£65.50	£65.50	£65.50	£65.50	£65.50
(ii) Over £461 and up to £2,048	£101.50	£101.50	£101.50	£101.50	£101.50	£101.50
(iii) Over £2,048 and up to £93,224 – 5% of the appraised value						
(iv) Over £93,224 – 5% of the first £93,224, and 1% thereafter						
(b) Reporting poinding	£6.30	£6.30	£6.30	£6.30	£6.30	£6.30
5. <i>Sequestrations for rent, poinding of ground</i>						
(a) Arranging for the sequestration or poinding of the ground and endeavouring, but being unable, to execute it for whatever reason	£35.60	£35.60	£35.60	£53.40	£53.40	£53.40

<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>
(b) Arranging and effecting sequestration where the appraised value is–						
(i) £461 or under	£62.85	£62.85	£62.85			
(ii) Over £461 and up to £1,851	£98.80	£98.80	£98.80			
(iii) Over £1,851 as in item 3(c)(iii) above						
(c) Arranging and effecting ordinary sequestration or poinding of the ground				£98.80	£98.80	£98.80
(d) Service – as in item 1(a) or (b) above, as the case may be						
6. <i>Sales</i>						
(a) (i) Application for warrant of sale or variation of warrant of sale	£10.30	£10.30	£10.30	£10.30	£10.30	£10.30
(ii) Intimating application – as in item 1(a) or (b) above, as the case may be						
(b) (i) Arranging warrant sale, preparing advertisement and giving public notice	£16.15	£16.15	£16.15	£16.15	£16.15	£16.15
(ii) Serving copy of warrant of sale and intimating the place and date of sale and if necessary the date of removal of poinded effects – as in item 1(a) or (b) above, as the case may be						
(c) Officer attending warrant sale alone conducted by auctioneer	£28.10	£47.65	£60.15	£28.10	£47.65	£60.15
(d) (i) Officer and witness						

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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>
attending warrant sale and being unable to execute it for whatever reason	£35.60	£35.60	£35.60	£53.40	£53.40	£53.40
(ii) Officer and witness conducting sale where the appraised value is £461 or under	£62.85	£62.85	£62.85	£62.85	£62.85	£62.85
(iii) And where it is over £461	£98.80	£98.80	£98.80	£98.80	£98.80	£98.80
7. <i>Ejections</i>						
(a) Arranging ejection	£35.60	£35.60	£35.60	£53.40	£53.40	£53.40
(b) Arranging and executing ejection	£73.10	£73.10	£73.10	£82.95	£82.95	£82.95
8. <i>Taking possession of effects</i>						
(a) Arranging possession	£35.60	£35.60	£35.60	£53.40	£53.40	£53.40
(b) Arranging and effecting possession	£73.10	£73.10	£73.10	£98.80	£98.80	£98.80
9. <i>Apprehensions</i>						
(a) Arranging apprehension				£53.40	£53.40	£53.40
(b) Arranging and apprehending				£98.80	£98.80	£98.80
10. <i>Taking possession of children</i>						
(a) Arranging to take possession				£53.40	£53.40	£53.40
(b) Arranging and taking possession of each child				£98.80	£98.80	£98.80
11. <i>Arresting vessels, aircraft and cargo</i>						
(a) Arranging to arrest	£35.60	£35.60	£35.60	£53.40	£53.40	£53.40
(b) Arranging and effecting arrestment	£89.85	£89.85	£89.85	£163.30	£163.30	£163.30
12. <i>Miscellaneous</i>						
(a) Making any report or application under the Act of 1987 with the exception of reporting a pounding	£12.35	£12.35	£12.35	£12.35	£12.35	£12.35
(b) Granting any receipt required to be issued under the Act of 1987	£6.30	£6.30	£6.30	£6.30	£6.30	£6.30
(c) Arranging for locksmith or tradesman to be in attendance	£4.00	£4.00	£4.00	£4.00	£4.00	£4.00

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(d) Granting certificate of displenishment or providing any other certificate or report, registering any document or making any application to a court or the creditor	£12.35	£12.35	£12.35	£12.35	£12.35	£12.35
(e) Executing warrant to open lockfast places	£12.35	£12.35	£12.35	£12.35	£12.35	£12.35
(f) Time						
(i) with witness - £19.85 per unit						
(ii) without witness - £14.80 per unit						
(g) Photocopies						
(i) first page of document - £1.40						
(ii) subsequent pages - per page - £0.65						

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 3.55%.

The last increase was in the Act of Sederunt (Fees of Sheriff Officers) 1999 (S.S.I. 1999/150).

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Coming into force 1st January 2001

£1.75

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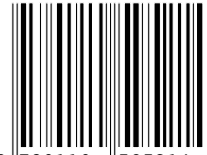
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