

2000 No. 420

SHERIFF COURT

**Act of Sederunt (Fees of Solicitors in the Sheriff Court)
(Amendment) 2000**

| | |
|--|---------------------------|
| <i>Made</i> | <i>27th 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 upon them by section 40 of the Sheriff Courts (Scotland) Act 1907^(a) 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 Solicitors in the Sheriff Court) (Amendment) 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 General Regulations

2.—(1) Schedule 1 (general regulations) to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993^(b) shall be amended in accordance with the following sub-paragraph.

(2) In the Table of Fees—

- (a) Part I of Chapter II shall be omitted; and
- (b) in the provisions mentioned in column 1 of the Schedule to this Act of Sederunt, for the amounts respectively specified in column 2 of that Schedule substitute the amounts so specified in column 3.

^(a) 1907 c.51; section 40 was amended by Schedule 1 to the Sheriff Courts (Scotland) Act 1913 c.28, Schedule 1; the Secretaries of State Act 1926 c.18, section 1(3); the Administration of Justice (Scotland) Act 1933 c.41, Schedule; the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 c.12, Schedule 1, paragraph 7 and Schedule 2; and the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 c.40, Schedule 9.

^(b) S.I. 1993/3080, amended by S.I. 1994/1142, 1995/1395, 1996/236, 1998/2675 and S.S.I. 1999/149.

Saving

3. Paragraph 2 of this Act of Sederunt does not affect the provisions of Schedule 1 in their application to work done, or outlays incurred, before 1st January 2001.

Edinburgh,
27th November 2000

Rodger of Earlsferry
Lord President
I.P.D.

SCHEDULE

| | (1) (provision) | (2) (old fee) £ | (3) (new fee) £ |
|----------------------|--------------------|--------------------|--------------------|
| Chapter I, Part I: | | | |
| 1(a) | | 164.50 | 169.40 |
| (b) | | 131.50 | 135.40 |
| (bb) | | 36.90 | 38.00 |
| 2(a) | | 574.60 | 591.80 |
| 3(a) | | 513.10 | 528.50 |
| Chapter I, Part II: | | | |
| Table A: | | | |
| | 1 | 404.20 | 416.30 |
| | 2 | 287.30 | 295.90 |
| | 3 | 88.30 | 90.90 |
| | 4 | 779.80 | 803.20 |
| Table B: | | | |
| | 1 | 332.50 | 342.50 |
| | 2 | 160.10 | 164.90 |
| | 3 | 88.30 | 90.90 |
| | 4 | 580.80 | 598.20 |
| Table C: | | | |
| | 1 | 160.10 | 164.90 |
| | 2 | 93.70 | 96.50 |
| | 3 | 253.80 | 261.40 |
| Chapter II, Part II: | | | |
| 1(a) | | 451.70 | 465.20 |
| (b) | | 82.20 | 84.70 |
| 2 | | 41.20 | 42.40 |
| 3(a) | | 49.30 | 50.80 |
| (b) | | 24.60 | 25.30 |
| 4(a) | | 205.60 | 211.80 |
| (b) | | 123.40 | 127.10 |
| (c) | | 49.30 | 50.80 |
| (d) | | 65.80 | 67.80 |
| 5 | | 16.40 | 16.90 |
| 6(a) | | 164.50 | 169.40 |
| (b) | | 24.60 | 25.30 |
| (c) | | 41.20 | 42.40 |
| 7 | | 164.40 | 169.30 |
| | | 24.60 | 25.30 |
| 8(a)(i) | | 131.50 | 135.40 |
| (ii) | | 24.60 | 25.30 |
| (b) | | 22.10 | 22.80 |
| (c) | | 22.10 | 22.80 |
| 9(a) | | 82.20 | 84.70 |
| (b) | | 24.60 | 25.30 |
| (c) | | 22.10 | 22.80 |
| (d) | | 22.10 | 22.80 |
| 10(a) | | 90.50 | 93.20 |
| (b) (fee per sheet) | | 11.50 | 11.80 |
| (b) (maximum fee) | | 54.80 | 58.40 |
| 11(a)(i) | | 246.70 | 254.10 |
| (ii) | | 164.50 | 169.40 |
| (iii) | | 49.30 | 50.80 |
| (b)(i) | | 164.50 | 169.40 |
| (ii) | | 82.20 | 84.70 |
| (iii) | | 24.60 | 25.30 |
| (iv) | | 22.10 | 22.80 |
| (v) | | 22.10 | 22.80 |
| 12(a)(i) | | 90.40 | 93.10 |
| (ii) | | 22.10 | 22.80 |
| (b)(i) | | 49.30 | 50.80 |
| (ii) | | 22.10 | 22.80 |

| <i>(1)</i> <i>(provision)</i> | <i>(2)</i> <i>(old fee) £</i> | <i>(3)</i> <i>(new fee) £</i> |
|----------------------------------|----------------------------------|----------------------------------|
| (c)(i) | 90.40 | 93.10 |
| (ii) | 24.60 | 25.30 |
| (d) | 22.10 | 22.80 |
| (e) | 22.10 | 22.80 |
| 13(a)(i) | 82.20 | 84.70 |
| (ii) | 33.00 | 34.00 |
| (iii) | 22.10 | 22.80 |
| (b)(i) | 65.80 | 67.80 |
| (ii) | 33.00 | 34.00 |
| (iii) | 22.10 | 22.80 |
| (c) | 82.20 | 84.70 |
| 14(a)(i) | 115.20 | 118.70 |
| (ii) | 49.30 | 50.80 |
| (b)(i) | 115.20 | 118.70 |
| (ii) | 49.30 | 50.80 |
| 14A(a) | 82.20 | 84.70 |
| (b) | 22.10 | 22.80 |
| 15 | 410.70 | 423.00 |
| 16(a)(i) | 263.10 | 271.00 |
| (ii) | 476.80 | 491.10 |
| (b) | 107.00 | 110.20 |
| (c) | 24.60 | 25.30 |
| 17(a) | 24.60 | 25.30 |
| (b) | 22.10 | 22.80 |
| (c) | 22.10 | 22.80 |
| 18(a) | 82.20 | 84.70 |
| (b) | 24.60 | 25.30 |
| (c) | 22.10 | 22.80 |
| (d) | 22.10 | 22.80 |
| 19(a)(i) | 246.70 | 254.10 |
| (i) (if counsel) | 139.90 | 144.10 |
| (ii) | 24.60 | 25.30 |
| (iii) | 22.10 | 22.80 |
| (iv) | 22.10 | 22.80 |
| (b) | 82.20 | 84.70 |
| 20(a)(i) | 90.40 | 93.10 |
| (ii) | 74.10 | 76.30 |
| (b) | 164.40 | 169.30 |
| (c) | 164.40 | 169.30 |
| 21(a) | 123.40 | 127.10 |
| (b) | 107.00 | 110.20 |
| 24(a) | 49.30 | 50.80 |
| (b) | 107.00 | 110.20 |
| (c)(i) | 107.00 | 110.20 |
| (ii) | 22.10 | 22.80 |
| Chapter III: | | |
| 1 | 24.30 | 25.00 |
| 2(a) | 22.10 | 22.80 |
| 3 | 11.20 | 11.50 |
| 4 | 16.50 | 17.00 |
| 5 | 4.70 | 4.80 |
| 7 | 4.70 | 4.80 |
| 8 | 22.10 | 22.80 |
| 9 | 4.70 | 4.80 |
| 10 | 4.70 | 4.80 |
| 11 | 22.10 | 22.80 |
| 12(b) | 11.20 | 11.50 |
| (c) | 4.70 | 4.80 |
| 13 | 11.20 | 11.50 |
| 14(a) | 4.70 | 4.80 |
| (b) | 4.70 | 4.80 |

| <i>(1)</i> <i>(provision)</i> | <i>(2)</i> <i>(old fee) £</i> | <i>(3)</i> <i>(new fee) £</i> |
|----------------------------------|----------------------------------|----------------------------------|
| (c) | 11.20 | 11.50 |
| (d) | 11.20 | 11.50 |
| 15(a) | 11.20 | 11.50 |
| (b) | 11.20 | 11.50 |
| (c) | 11.20 | 11.50 |
| (d) | 13.40 | 13.80 |
| 16(a) | 11.20 | 11.50 |
| (b) | 11.20 | 11.50 |
| (c) | 11.20 | 11.50 |
| (d) | 11.20 | 11.50 |
| (e) | 11.20 | 11.50 |
| (f) | 11.20 | 11.50 |
| Chapter IV, Part I: | | |
| 1 | 73.30 | 75.50 |
| 2(a) | 8.10 | 8.30 |
| (b) | 23.90 | 24.60 |
| 3 | 23.90 | 24.60 |
| Chapter IV, Part II: | | |
| 1 | 112.90 | 116.30 |
| 2(a) | 9.30 | 9.60 |
| | 20.60 | 21.20 |
| (b) | 9.30 | 9.60 |
| (c) | 29.70 | 30.60 |
| 3 | 29.70 | 30.60 |
| 4 | 102.70 | 105.80 |
| 5 | 49.30 | 50.80 |
| 6(a) | 45.10 | 46.40 |
| (b) | 20.70 | 21.30 |
| 7(a) | 45.10 | 46.40 |
| (b) | 20.70 | 21.30 |
| 8(a) | 61.40 | 63.20 |
| (b) | 37.90 | 39.00 |
| 9(a) | 49.30 | 50.80 |
| (b) | 29.70 | 30.60 |
| 10(a) | 29.70 | 30.60 |
| (b) | 15.50 | 16.00 |
| 11(a) | 61.40 | 63.20 |
| (i) | 45.10 | 46.40 |
| (ii) | 45.10 | 46.40 |
| (b) | 102.70 | 105.80 |
| 12(a) | 51.20 | 52.70 |
| (b) | 46.00 | 47.40 |
| (c) | 29.70 | 30.60 |
| (d) | 20.70 | 21.30 |
| 13(a)(i) | 61.40 | 63.20 |
| (ii) | 37.90 | 39.00 |
| (b)(i) | 49.30 | 50.80 |
| (ii) | 29.70 | 30.60 |
| (c) | 29.70 | 30.60 |
| (d) | 20.70 | 21.30 |
| (e) | 28.70 | 29.60 |
| (f) | 20.70 | 21.30 |
| 14 | 20.70 | 21.30 |
| 15(a) | 138.60 | 142.80 |
| (b) | 29.70 | 30.60 |
| 16(a) | 61.40 | 63.20 |
| (b) | 61.40 | 63.20 |
| (c) | 29.70 | 30.60 |

EXPLANATORY NOTE

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

This Act of Sederunt amends the Table of Fees in Schedule 1 (general regulations) to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993 by increasing the fees payable to solicitors by about 3%. The last increase was in the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment) 1999 (S.S.I. 1999/149) but was based on statistical information gathered in 1995.

It also revokes Part I of Chapter II of Schedule 1 (block fees in defended actions commenced on or before 31st December 1993). Such actions are now rare. Fees for work done, or outlays incurred, in such actions after the Act of Sederunt comes into force will still be chargeable, but on the basis of a detailed account, rather than a block fee.

The Act of Sederunt does not apply as respects work done, or outlays incurred, before it comes into force.

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