

2006 No. 295

SHERIFF COURT

**Act of Sederunt (Fees of Solicitors in the Sheriff Court)
(Amendment) 2006**

<i>Made</i> - - - -	<i>26th May 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>31st May 2006</i>
<i>Coming into force</i> - -	<i>1st July 2006</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) 2006 and shall come into force on 1st July 2006.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of Table of Fees

2.—(1) The Schedule 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-paragraphs.

(2) In the Table of Fees, in the provisions mentioned in column 1 of the Schedule to this Act of Sederunt, for the amounts specified in column 2 of that Schedule, there shall be substituted the amounts specified in column 3 of that Schedule.

(3) In Part II of Chapter II (defended ordinary actions, commercial actions and family actions commenced on or after 1st January 1994), in paragraph 1B, for “lesser” there shall be substituted “other”.

(a) 1907 c.51; section 40 was amended by 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 by, S.S.I. 1999/149, 2000/420, 2001/438, 2002/235, 274 and 328, 2003/162, 2004/152 and 196 and 2005/149.

Saving

3. Paragraph 2 shall not affect fees chargeable for work done, or outlays incurred, before 1st July 2006.

Edinburgh
26th May 2006

BRIAN GILL
Lord Justice Clerk,
I.P.D.

SCHEDULE

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
Chapter I, Part I:		
1. (a)	219.85	228.65
(b)	175.75	182.80
(bb)	49.25	51.20
2. (a)	768.20	798.95
3. (a)	685.90	713.35
Chapter I, Part II		
TABLE A: 1.	540.35	561.95
2.	384.00	399.35
3.	118.20	122.95
4.	1044.35	1086.10
TABLE B: 1.	444.65	462.45
2.	214.00	222.55
3.	118.20	122.95
4.	777.70	808.80
TABLE C: 1.	214.00	222.55
2.	125.25	130.25
3.	339.85	353.45
Chapter II, Part II		
1A.	334.00	347.35
1B.	488.00	507.50
1. (a)	603.85	628.00
(b)	201.30	209.35
2.	55.10	57.30
3. (a)	65.90	68.55
(b)	32.80	34.10
4. (a)	275.00	286.00
(b)	164.85	171.45
(c)	65.90	68.55
(d)	87.95	91.45
5.	21.90	22.80
6. (a)	219.85	228.65
(b)	32.80	34.10
(c)	110.05	114.45
(d)	32.80	34.10
(e)	55.10	57.30
7.	218.60	227.35
	32.80	34.10
7A (a)	175.75	182.80
(b)	87.95	91.45
(c)	32.80	34.10
(d)	29.55	30.75
7B (a)	154.15	160.30
(b)	55.10	57.30

		(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
8.	(a)	(i)	175.75	246.00
		(ii)	32.80	34.10
	(b)		29.55	30.75
	(c)		29.55	30.75
9.	(a)		109.85	114.25
	(b)		32.80	34.10
	(c)		29.55	30.75
	(d)		29.55	30.75
10.	(a)		121.00	125.85
	(b)		15.40	16.00
11.	(a)	(i)	329.80	343.00
		(ii)	219.85	228.65
		(iii)	65.90	68.55
	(b)	(i)	219.90	228.70
		(ii)	109.85	114.25
		(iii)	32.80	34.10
		(iv)	29.55	30.75
		(v)	29.55	30.75
12.	(a)	(i)	120.85	125.70
		(ii)	29.55	30.75
	(b)	(i)	65.90	68.55
		(ii)	29.55	30.75
	(c)	(i)	120.85	125.70
		(ii)	32.80	34.10
	(d)		29.55	30.75
	(e)		29.55	30.75
13.	(a)	(i)	109.85	114.25
		(ii)	44.10	45.85
		(iii)	29.55	30.75
	(b)	(i)	87.95	91.45
		(ii)	44.10	45.85
		(iii)	29.55	30.75
	(c)		109.85	114.25
14.	(a)	(i)	154.15	160.30
		(ii)	65.90	68.55
	(b)	(i)	154.15	160.30
		(ii)	65.90	68.55
14A.	(a)		109.85	114.25
	(b)		29.55	30.75
14B	(a)		65.60	68.20
	(b)		32.80	34.10
15.			548.95	570.90
16.	(a)	(i)	351.70	365.75
		(ii)	637.30	662.80
	(b)		143.05	148.75
	(c)		32.80	34.10
17.	(a)		32.80	34.10
	(b)		29.55	30.75
	(c)		29.55	30.75
18.	(a)		109.85	114.25
	(b)		32.80	34.10

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
	(c)	29.55	30.75
	(d)	29.55	30.75
19.	(a) (i)	329.80	343.00
	(i) (if counsel)	187.05	194.55
	(ii)	32.80	34.10
	(iii)	29.55	30.75
	(iv)	29.55	30.75
	(b)	109.85	114.25
20.	(a) (i)	120.85	125.70
	(ii)	99.05	103.00
	(b)	219.75	228.55
	(c)	219.75	228.55
	(d)	29.55	30.75
21.	(a)	164.85	171.45
	(b)	143.05	148.75
24.	(a)	65.90	68.55
	(b)	143.05	148.75
	(c) (i)	143.05	148.75
	(ii)	29.55	30.75
Chapter III			
1.		32.50	33.80
2.	(a)	29.55	30.75
3.		14.90	15.50
4.		22.10	23.00
5.		6.20	6.45
7.		6.20	6.45
8.		29.55	30.75
9.		6.20	6.45
10.		6.20	6.45
11.		29.55	30.75
12.	(a)	2.85	2.95
	(b)	14.90	15.50
	(c)	6.20	6.45
13.		14.90	15.50
14.	(a)	6.20	6.45
	(b)	6.20	6.45
	(c)	14.90	15.50
	(d)	14.90	15.50
15.	(a)	14.90	15.50
	(b)	14.90	15.50
	(c)	14.90	15.50
	(d)	17.90	18.60
16.	(a)	14.90	15.50
	(b)	14.90	15.50
	(c)	14.90	15.50
	(d)	14.90	15.50
	(e)	14.90	15.50
	(f)	14.90	15.50

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
Chapter IV, Part I			
1.		181.30	188.55
2.	(a)	10.80	11.25
	(b)	31.85	33.10
3.		31.85	33.10
Chapter IV, Part II (actions commenced before 10th June 2002)			
1.		144.75	150.55
2.	(a)	11.95	12.45
		26.40	27.45
	(b)	11.95	12.45
	(c)	38.15	39.70
3.		38.15	39.70
4.		131.75	137.00
5.		63.20	65.75
6.	(a)	57.85	60.15
	(b)	26.50	27.55
7.	(a)	57.85	60.15
	(b)	26.50	27.55
8.	(a)	78.70	81.85
	(b)	48.50	50.45
9.	(a)	63.20	65.75
	(b)	38.15	39.70
10.	(a)	38.15	39.70
	(b)	19.90	20.70
11.	(a)	78.70	81.85
	(i)	57.85	60.15
	(ii)	57.85	60.15
	(b)	131.75	137.00
12.	(a)	65.70	68.35
	(b)	59.00	61.35
	(c)	38.15	39.70
	(d)	26.50	27.55
13.	(a)	78.70	81.85
	(ii)	48.50	50.45
	(b)	63.20	65.75
	(i)	38.15	39.70
	(ii)	38.15	39.70
	(c)	38.15	39.70
	(d)	26.50	27.55
	(e)	36.80	38.25
	(f)	26.50	27.55
14.		26.50	27.55
15.	(a)	177.75	184.85
	(b)	38.15	39.70
16.	(a)	78.70	81.85
	(b)	78.70	81.85
	(c)	38.15	39.70
Chapter IV, Part III			
1.		120.85	125.70
2.	(a)	181.30	188.55
	(b)	181.30	188.55

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
	(c)	120.85	125.70
3.	(a)	12.45	12.95
		27.45	28.55
	(b)	12.45	12.95
	(c)	39.70	41.30
4.	(a)	181.30	188.55
	(b)	30.30	31.50
5.		30.30	31.50
6.		44.00	45.75
7.	(a)	96.65	100.50
	(b)	23.60	24.55
8.	(a)	52.60	54.70
	(b)	26.30	27.35
9.		17.50	18.20
10.	(a)	123.05	127.95
	(b)	52.60	54.70
	(c)	23.60	24.55
11.	(a)	123.05	127.95
	(b)	52.60	54.70
	(c)	23.60	24.55
12.		120.85	125.70
13.	(a) (i)	302.05	314.15
	(a) (ii)	362.40	376.90
	(b)	114.35	118.90
	(c)	26.30	27.35
14.	(a)	26.30	27.35
	(b)	23.60	24.55
15.	(a)	87.80	91.30
	(b)	26.30	27.35
16.	(a) (i)	96.50	100.35
	(a) (ii)	79.10	82.25
	(b)	175.55	182.55
	(c)	175.55	182.55
17.	(a) (i)	96.50	100.35
	(a) (ii)	23.60	24.55
	(b) (i)	52.60	54.70
	(b) (ii)	23.60	24.55
	(c) (i)	96.50	100.35
	(c) (ii)	26.30	27.35
	(d)	23.60	24.55
	(e)	23.60	24.55
18.	(a)	175.55	182.55
	(b)	87.80	91.30
	(c)	26.30	27.35
19.	(a)	263.45	274.00
	(b)	26.30	27.35
	(c)	26.30	27.35
20.	(a)	131.85	137.10
	(b)	114.35	118.90
	(c)	23.60	24.55

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
Chapter IV, Part III (personal injury claims only)			
1.		343.85	357.60
2.	(a)	362.40	376.90
	(b)	181.30	188.55
	(c)	181.30	188.55
3.	(a)	15.00	15.60
		32.90	34.20
	(b)	15.00	15.60
	(c)	39.70	41.30
4.	(a)	236.30	245.75
	(b)	32.80	34.10
5.		65.90	68.55
6.		55.00	57.20
7.	(a)	120.85	125.70
	(b)	15.30	15.90
8.	(a)	65.90	68.55
	(b)	32.80	34.10
9.		22.00	22.90
10.	(a)	153.85	160.00
	(b)	65.90	68.55
	(c)	32.80	34.10
11.	(a)	153.85	160.00
	(b)	65.90	68.55
	(c)	32.80	34.10
12.	(a) (i)	483.25	502.60
	(a) (ii)	636.65	662.10
	(b)	142.85	148.55
13.		483.25	502.60
14.	(a)	32.80	34.10
	(b)	29.45	30.65
15.	(a)	109.85	114.25
	(b)	32.80	34.10
16.	(a) (i)	120.60	125.40
	(a) (ii)	98.95	102.90
	(b)	219.45	228.25
	(c)	164.75	171.35
17.	(a) (i)	120.60	125.40
	(a) (ii)	29.45	30.65
	(b) (i)	120.60	125.40
	(b) (ii)	29.45	30.65
	(c) (i)	120.60	125.40
	(c) (ii)	32.80	34.10
	(d)	29.45	30.65
	(e)	29.45	30.65
18.	(a)	219.55	228.35
	(b)	109.85	114.25
	(c)	32.80	34.10
19.	(a)	329.40	342.60
	(b)	186.75	194.20
	(c)	32.80	34.10

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
	(d)	32.80	34.10
20.	(a)	164.75	171.35
	(b)	142.85	148.55
	(c)	29.45	30.65
21.	(a)	142.85	148.55
	(b) (i)	142.85	148.55
	(b) (ii)	29.45	30.65

EXPLANATORY NOTE

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

This Act of Sederunt makes amendments to the Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993 (S.I. 1993/3080) (“the Table of Fees”).

Paragraph 2(2) increases the fees recoverable under the Table of Fees by about 4% and makes a minor change to the fee recoverable under item 8(a)(i) in Chapter II of Part II to reflect more accurately the extent of the work required in preparation for a debate.

Paragraph 2(3) amends paragraph 1B of Part II of Chapter II (defended actions commenced on or after 1st January 1994) to allow the Auditor to allow a greater sum under that paragraph for pre-litigation work where he considers that it is justified.

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

2006 No. 295

SHERIFF COURT

**Act of Sederunt (Fees of Solicitors in the Sheriff Court)
(Amendment) 2006**

£3.00

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