

SCHEDULE 2

Article 2(2)(b), as read with article 1

TABLE OF FEES

Fees payable from 1st April 2009

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
PART I – FEES IN THE CENTRAL OFFICE OF THE COURT		
A. SIGNETING		
Signeting of any writ or summons, if attendance is necessary outwith the normal office hours	100	100
B. GENERAL DEPARTMENT		
1. Appeal, summons, or other writ or step by which any cause or proceeding, other than a family action, is originated in either the Inner or Outer House – fee (to comprehend signeting in normal office hours)	175	170
2. Defences, answers or other writ (including a joint minute) or step in process or enrolment or opposition to a motion in a pending process by which a party other than an originating party first makes an appearance in a course or proceeding other than a family action	175	170
3. Writ by which a family action is originated (other than a simplified divorce or dissolution of a civil partnership application) – inclusive fee (to comprehend signeting within normal office hours and, if applicable, issue to the pursuer of an extract in terms of item G5(a) of this Table, and to the	135	130

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defender, if appropriate, of a duplicate thereof)		
4. Simplified divorce or dissolution of a civil partnership application (inclusive of all procedure other than that specified in item B5 of this Table)	100	100
5. In relation to a simplified divorce or dissolution of a civil partnership application, citation of any persons under rule 16.1(1)(a)(i), (ii) or (iii), as applied by rule 49.76, of the Rules of Court, or intimation to any person or persons under rule 16.1(1)(a)(i), (ii) or (iii), as applied by rule 49.76, of those Rules, where such intimation is required.	Charge of the sheriff officer to serve document plus £10	Charge of the sheriff officer to serve document plus £10
6. Defences, answers or other writ (including a joint minute) or step in process or enrolment of or opposition to a motion in a pending process by which a party other than an originating party first makes appearance in a family action	135	130
7. Fee for initial lodging of affidavits in a family action where proof by affidavit evidence has been allowed	60	55
8. Special case–		
For each party	90	85
Maximum fee payable per case	355	345
9. Application by minute or motion for variation of an order in a family action	30	30
10. Answers or opposition to an application under item B9 of this Table	30	30

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11. Letter of request to a foreign court	45	45
12. Citation of each jury to include outlays incurred in citing and countermanding – payable on receipt of instruments for issue of precept	245	240
13. Reclaiming motion – fee payable by party enrolling motion	175	170
14. Closed record – fee payable by each party on the lodging of the closed record or, where no closed record is lodged, when mode of enquiry is determined	85	85
15. Allowing proof, etc. – fee payable by each party on diet of proof, jury trial, procedure roll or summar roll hearing being allowed	45	45
16. For the items in B17 to B25 the fee is payable by each party appearing at the hearing after first 30 minutes or part thereof– — For every 30 minutes or part thereof		
17. Proof or Procedure Roll (B16 applies)	45	40
18. Summar Roll (B16 applies)	45	40
19. Jury Trial (B16 applies)	45	40
20. Outer House hearing (other than Proof or Procedure Roll, Jury Trial, Motion Roll hearing or hearings out of hours) (B16 applies)	45	40
21. Inner House hearing (other than Summar Roll, Single Bills hearing or hearings out of hours) (B16 applies)	95	95

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<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
22. Motion Roll hearing (B16 applies)	45	40
23. Single Bills hearing (B16 applies)	95	95
24. Outer House hearings out of hours (B16 applies)	55	55
25. Inner House hearings out of hours (B16 applies)	120	120
26. Fee payable by any party enrolling a motion or making a motion orally at the bar and any party opposing any such motion	45	45
C. PETITION DEPARTMENT		
1. Petition of whatever nature presented to Inner or Outer House other than a petition under item C3 or C4 of this Table, whether in respect of the first or any subsequent step of process, and any application for registration or recognition of a judgment under the Civil Jurisdiction and Judgments Act 1982(2)	175	170
2. Additional fee payable when a petition in terms of item C1 of this Table is presented outwith normal office hours	100	100
3. Petition to be admitted as a notary public:		
For each applicant	130	130
4. Petition to be admitted as a solicitor:		
For each applicant	130	130
5. Answers, objection or other writ (including a joint minute) or step in process or enrolment or opposition to a motion in a pending process	175	170

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(2) 1982 c. 27.

<i>Column 1</i> (Matters)	<i>Column 2</i> (Fee payable) £	<i>Column 3</i> (Fee formerly payable(1)) £
by which a party other than an originating party first makes appearance in a proceeding to which item C1 of this Table applies		
6. Caveat	45	45
7. Fiat	45	45
8. Registering official copies of orders of courts in England and Wales or Northern Ireland	15	15
9. Issue of an abbreviate in sequestration	15	15
10. Reclaiming motion – fee payable by party enrolling motion	175	170
11. Closed record – fee payable by each party on the lodging of the closed record or, when no closed record is lodged, when mode of enquiry is determined	85	85
12. Allowing proof, etc. – fee payable by each party on diet of proof, procedure roll, summar roll or judicial review hearing being allowed	45	45
13. Registering orders for enforcement under section 426 of the Insolvency Act 1986(3)	15	15
14. For the items in C15 to C23 the fee is payable by each party appearing at the hearing after first 30 minutes or part thereof– — For every 30 minutes or part thereof	45	40
15. Proof or Procedure Roll (C14 applies)	45	40

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(3) 1986 c. 45.

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16. Summar Roll (C14 applies)	45	40
17. Jury Trial (C14 applies)	45	40
18. Outer House hearing (other than Proof or Procedure Roll, Jury Trial, Motion Roll hearing or hearings out of hours) (C14 applies)	45	40
19. Inner House hearing (other than Summar Roll, Single Bills hearing or hearings out of hours) (C14 applies)	95	95
20. Motion Roll hearing (C14 applies)	55	55
21. Single Bills hearing (C14 applies)	95	95
22. Outer House hearings out of hours (C14 applies)	55	55
23. Inner House hearings out of hours (C14 applies)	120	120
24. Fee payable by any party enrolling a motion or making a motion orally at the bar; and any party opposing any such motion	45	45
25. Lodging of notice of appointment or intention to appoint an administrator out of court under the Insolvency Act 1986	175	170
D. COURT FOR HEARING APPEALS RELATING TO THE REGISTRATION OF ELECTORS		
Appeal – inclusive fee	175	170
E. ELECTION COURT		
1. Parliamentary election petition	175	170
2. Statement of matters	15	15
3. Any other petition, application, answers or	45	45

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objections submitted to the court		
4. Certificate of judgement	45	45
F. LANDS VALUATION APPEAL COURT		
1. Appeal – inclusive fee	175	170
2. Answers – inclusive fee	175	170
G. EXTRACTS DEPARTMENT		
1. Extract decree following upon a summons, petition or appeal, or after protestation of a note, and whether in absence or otherwise	50	45
2. Extract of admission as a solicitor	40	40
3. Extract of protestation	40	40
4. Certificate under the Civil Jurisdiction and Judgments Act 1982	40	40
5. Documentation evidencing divorce, nullity or dissolution of marriage or civil partnership:		
(a) (a) Extract from Consistorial Register of Decrees of decree pronounced on or after 23rd September 1975 if not issued in terms of item B3 or B4 of this Table	25	25
(b) (b) Certificate of divorce in decree pronounced prior to 23rd September 1975	25	25
(c) (c) Certified copy interlocutor in decree pronounced prior to 23rd September 1975	25	25

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6. Extract from the Register of Acts and Decrees – per sheet or part thereof	25	25
7. Sealing and certifying any document for exhibition in a foreign jurisdiction or otherwise	25	25
8. Acknowledgement of receipt of a notice under section 19(6) or 21(2) of the Conveyancing and Feudal Reform (Scotland) Act 1970(4)	40	40
9. Acknowledgement of receipt of an offer under section 9 of the Conveyancing Amendment (Scotland) Act 1938(5)	40	40
PART II – FEES IN THE OFFICE OF THE ACCOUNTANT OF COURT		
H. OFFICE OF THE ACCOUNTANT OF COURT		
<i>I. In Factories</i>		
1. For registering case and receiving and delivering up bond of caution–		
(a) (a) in Court of Session appointments	30	30
(b) (b) in Sheriff Court appointments	20	20
2. For examining factor's inventory – 0.333% of the value of the estate as disclosed		
(a) (a) minimum fee payable	20	20
(b) (b) maximum fee payable	590	575

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(4) 1970 c. 35.

(5) 1938 c. 24; section 9 was amended by the Conveyancing and Feudal Reform (Scotland) Act 1970 (c. 35), section 46, and by the Land Tenure Reform (Scotland) Act 1974 (c. 38), section 13.

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3. For auditing each account—		
(a) (a) basic fee	10	10
(b) (b) additional percentage fee on the factor's commission as fixed (or what would have been the factor's full commission if chargeable or fully allowed)	17.5%	17.5%
4. For reporting re discharge, special powers or on other special matters	105	105
5. For report on scheme of division	105	105
6. For certificate under seal	25	25
<i>II. In Consignations</i>		
7. For lodging consignment	20	15
8. For producing or delivering up consignment—		
(a) (a) basic fee	20	15
(b) (b) additional fee for every £100 or part thereof uplifted	1	1
(c) (c) maximum fee payable	60	60
<i>III. Liquidations</i>		
9. For uplifting bond of caution	5	5
PART III – FEES IN THE OFFICE OF THE AUDITOR OF THE COURT OF SESSION		
I. OFFICE OF THE AUDITOR OF THE COURT OF SESSION		

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<p>1. Taxing accounts of expenses incurred in judicial proceedings (including proceedings in the High Court of Justiciary) remitted to the Auditor of the Court of Session for taxation:</p>		
<p>(a) (a) Auditor's fee on lodging account for taxation</p>	35	34
<p>(b) (b) Auditor's fee for taxing accounts for expenses etc.</p>		
<p>(i) up to £400</p>	20	18
<p>(ii) for every additional £100 or part thereof</p>	5	5
<p><i>Note: fee to be determined by the Auditor of the Court of Session on amount of account as submitted</i></p>		
<p>2. Fee for assessing account remitted to the Auditor to determine whether an additional fee should be paid</p>	230	226
<p>3. Fee for cancellation of diet of taxation—</p>		
<p>(a) (a) where written notice of cancellation received by receiving party after 4.00 pm on the fourth working day prior to the diet of taxation</p>	<p>50% of fee that would have been payable under item II(b) of this Table</p>	<p>50% of fee that would have been payable under item II(b) of this Table</p>
<p>(b) (b) where written notice of cancellation received by receiving party after 4.00 pm on the working day before or the day of the diet of taxation</p>	<p>75% of fee that would have been payable under item II(b) of this Table</p>	<p>75% of fee that would have been payable under item II(b) of this Table</p>

PART IV – FEES COMMON TO ALL OFFICES

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J. MISCELLANEOUS		
1. Certified copy of 175 proceedings for appeal to the House of Lords		170
2. Certifying of any other 15 document (plus copying charges if necessary)		15
3. Recording, extracting, engrossing or copying— all documents (exclusive of search fee)—		
(a) (a) Copying of 5 each document up to 10 pages		5
for each page or part 0.50 thereof (in excess of 10 pages)		0.50
(b) (b) Copy of each 5 document copied to CD or in electronic form		5
4. Searches – for any search of records or archives:		
(a) (a) Up to 30 15 minutes		15
(b) (b) For more than 35 30 minutes up to 2 hours		35
(c) (c) For each 10 additional 30 minutes (in excess of 2 hours)		10
(d) (d) In addition, 10 correspondence fee where applicable		10
5. Captions:		
(a) (a) Marking 10 caption when ordered		10
(b) (b) Warrant for 10 caption when issued		10

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