

SCHEDULE 3

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

TABLE OF FEES

Fees payable from 1st April 2010

<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	105	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)	180	175
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	180	175
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	140	135

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
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)	105	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	140	135
7. Fee for initial lodging of affidavits in a family action where proof by affidavit evidence has been allowed	60	60
8. Special case–		
For each party	90	90
Maximum fee payable per case	365	355
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

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
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	250	245
13. Reclaiming motion – fee payable by party enrolling motion	180	175
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	90	85
15. Allowing proof, etc. – fee payable by each party on diet of proof, jury trial, procedure roll or summar roll hearing being allowed	50	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	45
18. Summar Roll (B16 applies)	45	45
19. Jury Trial (B16 applies)	45	45
20. Outer House hearing (other than Proof or Procedure Roll, Jury Trial, Motion Roll hearing or hearings out of hours) (B16 applies)	45	45
21. Inner House hearing (other than Summar Roll, Single Bills hearing or hearings out of hours) (B16 applies)	100	95

(1) *Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<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	45
23. Single Bills hearing (B16 applies)	100	95
24. Outer House hearings out of hours (B16 applies)	55	55
25. Inner House hearings out of hours (B16 applies)	125	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)	180	175
2. Additional fee payable when a petition in terms of item C1 of this Table is presented outwith normal office hours	105	100
3. Petition to be admitted as a notary public:		
For each applicant	135	130
4. Petition to be admitted as a solicitor:		
For each applicant	135	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	180	175

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

(2) 1982 c. 27.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<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	180	175
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	90	85
12. Allowing proof, etc. – fee payable by each party on diet of proof, procedure roll, summar roll or judicial review hearing being allowed	50	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	45
15. Proof or Procedure Roll (C14 applies)	45	45

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

(3) 1986 c. 45.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
16. Summar Roll (C14 applies)	45	45
17. Jury Trial (C14 applies)	45	45
18. Outer House hearing (other than Proof or Procedure Roll, Jury Trial, Motion Roll hearing or hearings out of hours) (C14 applies)	45	45
19. Inner House hearing (other than Summar Roll, Single Bills hearing or hearings out of hours) (C14 applies)	100	95
20. Motion Roll hearing (C14 applies)	55	55
21. Single Bills hearing (C14 applies)	100	95
22. Outer House hearings out of hours (C14 applies)	55	55
23. Inner House hearings out of hours (C14 applies)	125	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	180	175
D. COURT FOR HEARING APPEALS RELATING TO THE REGISTRATION OF ELECTORS		
Appeal – inclusive fee	180	175
E. ELECTION COURT		
1. Parliamentary election petition	180	175
2. Statement of matters	15	15
3. Any other petition, application, answers or	45	45

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
objections submitted to the court		
4. Certificate of judgement	45	45
F. LANDS VALUATION APPEAL COURT		
1. Appeal – inclusive fee	180	175
2. Answers – inclusive fee	180	175
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	50
2. Extract of admission as a solicitor	45	40
3. Extract of protestation	45	40
4. Certificate under the Civil Jurisdiction and Judgments Act 1982	45	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

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
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)	45	40
9. Acknowledgement of receipt of an offer under section 9 of the Conveyancing Amendment (Scotland) Act 1938(5)	45	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	35	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	25	20
(b) (b) maximum fee payable	610	590

(1) *Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.*

(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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
3. For auditing each account—		
(a) (a) basic fee	15	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	110	105
5. For report on scheme of division	110	105
6. For certificate under seal	25	25
<i>II. In Consignations</i>		
7. For lodging consignment	20	20
8. For producing or delivering up consignment—		
(a) (a) basic fee	20	20
(b) (b) additional fee for every £100 or part thereof uplifted	1	1
(c) (c) maximum fee payable	65	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		

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
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:		
(a) (a) Auditor's fee on lodging account for taxation	35	35
(b) (b) Auditor's fee for taxing accounts for expenses etc.		
(i) up to £400	20	20
(ii) for every additional £100 or part thereof	5	5
<i>Note: fee to be determined by the Auditor of the Court of Session on amount of account as submitted</i>		
2. Fee for assessing account remitted to the Auditor to determine whether an additional fee should be paid	240	230
3. Fee for cancellation of diet of taxation—		
(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	50% of fee that would have been payable under item II(b) of this Table	50% of fee that would have been payable under item II(b) of this Table
(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	75% of fee that would have been payable under item II(b) of this Table	75% of fee that would have been payable under item II(b) of this Table

PART IV – FEES COMMON TO ALL OFFICES

(1) *Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee payable) £</i>	<i>Column 3 (Fee formerly payable(1)) £</i>
J. MISCELLANEOUS		
1. Certified copy of 180 proceedings for appeal to the House of Lords		175
2. Certifying of any other document (plus copying charges if necessary)	15	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 thereof (in excess of 10 pages)	0.50	0.50
(b) (b) Copy of each document copied to CD or in electronic form		5
4. Searches – for any search of records or archives:		
(a) (a) Up to 30 minutes	15	15
(b) (b) For more than 30 minutes up to 2 hours	35	35
(c) (c) For each additional 30 minutes (in excess of 2 hours)	10	10
(d) (d) In addition, correspondence fee where applicable	10	10
5. Captions:		
(a) (a) Marking caption when ordered	10	10
(b) (b) Warrant for caption when issued	10	10

(1) Column 3 shows the fees which were payable in Schedule 2 to this Order immediately before the coming into force of this Schedule. Where there is no entry in column 3 but an entry in column 2, the matter is new or has been amended such that no direct comparison can be made with the fee formerly payable.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
