

SCHEDULE 3

Article 2(3)(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>
<b>PART I – COMMISSARY PROCEEDINGS</b>		
<b>1. Petition for–</b>	15	15
(a) appointment of executor,		
(b) restriction of caution,		
(c) special warrant,		
(d) sealing up of repositories or the like, or		
(e) appointment of Commissary factor		
<b>2. Sealing up repositories or the like, per hour</b>	25	25
(a) (a) Receiving and examining inventory of estate, except where sub paragraph (b) or (c) of this paragraph applies–		
(i) where the amount of the estate vested in or belonging beneficially to the deceased, of which confirmation is required, or for which resealing under the Colonial Probates Act 1892(2) is required does not exceed–		
£5,000	No fee	No fee
£50,000	200	195

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(2) 1892 c. 6.

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(ii) where the amount of the said estate exceeds £50,000	200	195
(b) (b) Receiving and examining additional or corrective inventory of estate or inventory of estate <i>ad non executata</i>	200	195
(c) (c) Receiving and examining inventory of estate where it is declared that confirmation is not required:	The fees payable shall be 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) shall be payable	The fees payable shall be 50% of those specified in sub paragraph (a) or (b) of this paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) shall be payable
<b>4. Commissary copying and extracting</b>		
(1) Issuing certificate of confirmation		
(a) (a) if ordered when lodging inventory each certificate	5	5
(b) (b) If ordered subsequent to lodging inventory—		
(i) first certificate including search fee	15	15
(ii) each subsequent certificate	5	5
(2) Copy or duplicate confirmation—		
(a) (a) if ordered when lodging inventory	10	10
(b) (b) if ordered subsequent to lodging inventory—		

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(i) first duplicate including search fee	20	20
(ii) each subsequent duplicate if ordered at the same time as the first duplicate	10	10
(3) Certified extract confirmation and will (if any)–		
(a) (a) if ordered when lodging inventory	20	20
(b) (b) if ordered subsequent to lodging inventory–		
(i) first certified extract including search fee	30	30
(ii) each subsequent certified extract if ordered at the time of the first certified extract	20	20
(4) Copy will–		
(a) (a) if ordered when lodging inventory	5	5
(b) (b) if ordered subsequent to lodging inventory–		
(i) first copy including search fee	15	15
(ii) each subsequent copy, if ordered at the same time as the first copy	5	5
<b>PART II – SHERIFF COURT PROCEEDINGS</b>		
<i>Initial Writ</i>	80	80
5. Initial writ in any proceedings not being proceedings for which any other paragraph of this Table prescribes a fee		

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<i>Column 1 (Matters)</i>	<i>Column 2 (Fee Payable) £</i>	<i>Column 3 (Fee Formerly Payable)(1) £</i>
<i>Divorce and dissolution of civil partners</i>	125	120
<b>6.</b> Initial writ in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of a civil partnership application)		
<i>Application for Simplified Divorce and simplified dissolution of civil partnership</i>	95	90
<b>7.</b> Any application (inclusive of all procedures other than those specified at paragraphs 8 and 9)		
<b>8.</b> Citation of, or intimation to, any person or persons by sheriff officer	10plus sheriff officer's fee	10plus sheriff officer's fee
<b>9.</b> Subsequent application upon change of circumstances by party	25	25
<i>Summary warrant</i>	60	60
<b>10.</b> Application for summary warrant		
<i>Bankruptcy</i>	95	95
<b>11.</b> Petition for sequestration of estates		
<b>12.</b> Petition for discharge of a bankrupt or application for approval of composition or deed of arrangement	30	30
<b>13.</b> Miscellaneous applications including appeals under the Bankruptcy (Scotland) Act 1985(3)	50	45
<b>14.</b> Act and warrant of trustee	40	40

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(3) 1985 c. 66, as amended by the Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3).

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<i>Column 1 (Matters)</i>	<i>Column 2 (Fee Payable) £</i>	<i>Column 3 (Fee Formerly Payable)(1) £</i>
<b>15.</b> Application (written or oral) for discharge of trustee	30	30
<i>Declarator and Petitions for completion of title for the Sheriff of Chancery</i>	190	185
<b>16.</b> Applications for Declarator and Petitions for completion of title to the Sheriff of Chancery		
<b>17.</b> Issue of chancery extract	90	90
<i>Summary cause</i>		
<b>18.</b> Summons summary cause (including small claim)–		
(a) (a) actions for payment of money less than £200	15	15
(b) (b) other actions	65	65
(c) (c) in relation to a small claim summons, citation of, or intimation to, any party by sheriff officer	10 plus sheriff officer's fee	10 plus sheriff officer's fee
(d) (d) on the marking of an appeal	50	45
<i>Criminal procedure</i>	30	30
<b>19.</b> Complaint		
<i>Road Traffic Offenders Act 1988(4)</i>	75	75
<b>20.</b> Petition for removal of disqualification		
<i>Miscellaneous</i>	15	15
<b>21.</b> Application under section 4 of the Requirements of Writing (Scotland) Act 1995 (5)		
<b>22.</b> Caveat	30	30

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(4) 1988 c. 53.

(5) 1995 c. 7.

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<b>23.</b> Any proceedings under section 12 or 18 of the Civil Jurisdiction and Judgments Act 1982(6)	20	20
<b>24.</b> Note in a liquidation or judicial factory	30	30
<i>Defender's responses</i>		
<b>25.</b> First writ, reponing note or attendance to state a defence, or oppose an interim order (fee payable by each defender or compeerer)		
(a) (a) in proceedings to which paragraph 5 of this Table applies	75	75
(b) (b) in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of civil partnership)	125	120
<b><i>Civil court procedure</i></b>		
<i>Payable by pursuer</i>		
<b>26.</b> Lodging of a certified copy record under the standard procedure of the Ordinary Cause Rules 1993(7)	95	95
<b>27.</b> Lodging of a certified closed record under the additional procedure of the said Rules	95	95
<b>28.</b> Fixing of a proof, a debate or a hearing in a summary or miscellaneous	45	40

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- (6) 1982 c. 27; section 12 was amended by the Civil Jurisdiction and Judgments Act 1991 (c. 12), Schedule 2, paragraph 7 and section 18 was amended by the Insolvency Act 1985 (c. 65), Schedule 8, paragraph 36, the Insolvency Act 1986 (c. 45), Schedule 14, the Courts and Legal Services Act 1990 (c. 41), Schedule 16, paragraph 41, the Criminal Justice Act 1993 (c. 36), section 24, the Drug Trafficking Act 1994 (c. 37), Schedule 1, paragraph 6, the Criminal Justice (Scotland) Act 1995 (c. 20), Schedule 6, paragraph 183 and the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40), Schedule 4, paragraph 42.
- (7) See Schedule 1 to the Sheriff Courts (Scotland) Act 1907 (c. 51).

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application on the merits of the cause		
<b>29.</b> For each day or part thereof of proof, debate or hearing in a summary or miscellaneous application on the merits of the cause (not payable if the proof, debate or hearing does not proceed on that day)	95	95
<b>30.</b> Endorsing of a minute in Form F27 in terms of rule 33.29(1)(b) of the said Rules	55	55
<i>Payable by any party(including pursuer)</i>		
<b>31.</b> Lodging of a written motion or minute; and the lodging of any written opposition to any such motion or minute	40	40
<b>32.</b> Marking an appeal to the Sheriff Principal in any proceedings (other than as provided for in paragraph 18(d) of this Table)	95	95
<i>Sheriff court books</i>	20	20
<b>33.</b> Recording protest of a bill or promissory note (NOTE: Extract to be charged as in paragraph 37 of this Table.)		
<b>34.</b> Preservation of deeds, each deed (NOTE: Recording and extracting to be charged as in paragraph 38 of this Table)	10	10
<i>Miscellaneous office procedures</i>	60	60
<b>35.</b> Lodging each set of plans or other Parliamentary deposit		

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<b>36.</b> Inspection of report of sale and the auditor of court's report	15	15
<b>37.</b> Search and report service as instructed by a trade protection society, licensed credit reference agency or trade publication of protests, of relevant court records as allowed by appropriate said Rules as amended, with the fees below payable in advance–		
(a) (a) weekly for twelve months	290	280
(b) (b) twice weekly for twelve months	575	560
(c) (c) four times weekly for twelve months	1,160	1,125
<b>38.</b> Recording, engrossing, extracting or copying of all documents except as provided for at paragraph 4 of this Table (if a search is required an additional fee will be charged as per paragraph 39 of this Table)		
(a) (a) by photocopying–		
(i) Up to 10 pages	5	5
(ii) Each page or part thereof (in excess of 10 pages)	0.50	0.50
(b) (b) for a copy of a document on a computer disc or in other electronic form	5	5

NOTE: Recording in Sheriff Court Register of Deeds to be charged as in paragraph 38(a)

**39.** Searches: for each search of records or archives,

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except as provided for at paragraph 4 of this Table—		
(a) (a) up to 30 minutes	15	15
(b) (b) for more than 30 minutes up to 2 hours	40	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
<b>PART III – AUDITOR OF COURT</b>		
<b>40.</b> For taxing accounts of expenses incurred in judicial proceedings remitted to the auditor of court for taxation—		
(1) auditor’s fee on lodging account for taxation	36	35
(2) auditor’s fee for taxing accounts of expenses etc.—		
(a) (a) up to £400	19	19
(b) (b) for every additional £100 or part thereof	5	5
NOTE: Fee to be determined by auditor of court on amount of account as submitted.		
(3) fee for cancellation of diet of taxation—		
(a) (a) where written notice of cancellation received by receiving party within three working days of diet	50% of fee that would have been payable under sub-paragraph (2) of this paragraph	50% of fee that would have been payable under sub-paragraph (2) of this paragraph
(b) (b) where written notice of cancellation received by receiving	75% of fee that would have been payable under sub-paragraph (2) of this paragraph	75% of fee that would have been payable under sub-paragraph (2) of this paragraph

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party on the working day before or the day of the diet		

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