

2009 No. 81

SHERIFF COURT

**Act of Sederunt (Fees of Solicitors in the Sheriff Court)
(Amendment) 2009**

<i>Made</i> - - - -	<i>3rd March 2009</i>
<i>Laid before the Scottish Parliament</i>	<i>4th March 2009</i>
<i>Coming into force</i> - -	<i>27th April 2009</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) 2009 and shall come into force on 27th April 2009.

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

Amendment of table of fees

2.—(1) In the provisions of the table of fees in Schedule 1 to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993(b) which are mentioned in column 1 of the Schedule to this Act of Sederunt, for the amounts specified in column 2 of that Schedule, substitute the amounts specified in column 3 of that Schedule.

(2) Subparagraph (1) shall not affect fees chargeable for work done, or outlays incurred, before 27th April 2009.

A C HAMILTON
Lord President
I.P.D.

Edinburgh
3rd March 2009

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

(b) The table of fees was last amended by S.S.I. 2008/40.

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)	252.65	265.30
(b)	202.00	212.10
(bb)	56.60	59.45
2. (a)	882.85	927.00
3. (a)	788.25	827.65
Chapter I, Part II:		
TABLE A: 1.	621.00	652.05
2.	441.25	463.30
3.	135.85	142.65
4.	1200.15	1260.15
TABLE B: 1.	511.00	536.55
2.	245.90	258.20
3.	135.85	142.65
4.	893.70	938.40
TABLE C: 1.	245.90	258.20
2.	143.90	151.10
3.	390.60	410.15
Chapter II, Part II:		
1A.	383.80	403.00
1B.	560.80	588.85
1. (a)	693.90	728.60
(b)	231.30	242.85
2.	63.35	66.50
3. (a)	75.75	79.55
(b)	37.65	39.55
4. (a)	316.05	331.85
(b)	189.45	198.90
(c)	75.75	79.55
(d)	101.05	106.10
5.	25.20	26.45
6. (a)	252.65	265.30
(b)	37.65	39.55
(c)	126.50	132.85
(d)	37.65	39.55
(e)	63.35	66.50
7.	251.25	263.80
	37.65	39.55
7A (a)	202.00	212.10
(b)	101.05	106.10
(c)	37.65	39.55
(d)	34.00	35.50
7B (a)	177.10	185.95
(b)	63.35	66.50

		(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
8.	(a)	(i)	271.85	285.45
		(ii)	37.65	39.55
	(b)		34.00	35.50
	(c)		34.00	35.50
9.	(a)		126.25	132.55
	(b)		37.65	39.55
	(c)		34.00	35.50
	(d)		34.00	35.50
10.	(a)		139.10	146.05
	(b)		17.70	18.60
11.	(a)	(i)	379.00	397.95
		(ii)	252.65	265.30
		(iii)	75.75	79.55
	(b)	(i)	252.70	265.35
		(ii)	126.25	132.55
		(iii)	37.65	39.55
		(iv)	34.00	35.50
		(v)	34.00	35.50
12.	(a)	(i)	138.90	145.85
		(ii)	34.00	35.50
	(b)	(i)	75.75	79.55
		(ii)	34.00	35.50
	(c)	(i)	138.90	145.85
		(ii)	37.65	39.55
	(d)		34.00	35.70
	(e)		34.00	35.50
13.	(a)	(i)	126.25	132.55
		(ii)	50.70	53.25
		(iii)	34.00	35.50
	(b)	(i)	101.05	106.10
		(ii)	50.70	53.25
		(iii)	34.00	35.50
	(c)		126.25	132.55
14.	(a)	(i)	177.10	185.95
		(ii)	75.75	79.55
	(b)	(i)	177.10	185.95
		(ii)	75.75	79.55
14A.	(a)		126.20	132.50
	(b)		34.00	35.50
14B	(a)		75.40	79.15
	(b)		37.65	39.55
15.			630.85	662.40
16.	(a)	(i)	404.20	424.40
		(ii)	732.40	769.00
	(b)		164.35	172.55
	(c)		37.65	39.55
17.	(a)		37.65	39.55
	(b)		34.00	35.50
	(c)		34.00	35.50
18.	(a)		126.25	132.55
	(b)		37.65	39.55

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
	(c)	34.00	35.50
	(d)	34.00	35.50
19.	(a) (i)	379.00	397.95
	(i) (if counsel)	215.00	225.75
	(ii)	37.65	39.55
	(iii)	34.00	35.50
	(iv)	34.00	35.50
	(b)	126.25	132.55
20.	(a) (i)	138.90	145.85
	(ii)	113.80	119.50
	(b)	252.55	265.20
	(c)	252.55	265.20
	(d)	34.00	35.50
21.	(a)	189.45	198.90
	(b)	164.35	172.55
24.	(a)	75.75	79.55
	(b)	164.35	172.55
	(c) (i)	164.35	172.55
	(ii)	34.00	35.50
Chapter III:			
	1.	37.35	39.20
	2. (a)	34.00	35.50
	3.	17.10	17.95
	4.	25.40	26.65
	5.	7.10	7.45
	7.	7.10	7.45
	8.	34.00	35.50
	9.	7.10	7.45
	10.	7.10	7.45
	11.	34.00	35.70
	12. (a)	3.25	3.40
	(b)	17.10	17.95
	(c)	7.10	7.45
	13.	17.10	17.95
	14. (a)	7.10	7.45
	(b)	7.10	7.45
	(c)	17.10	17.95
	(d)	17.10	17.95
	15. (a)	17.10	17.95
	(b)	17.10	17.95
	(c)	17.10	17.95
	(d)	20.55	21.60
	16. (a)	17.10	17.95
	(b)	17.10	17.95
	(c)	17.10	17.95
	(d)	17.10	17.95
	(e)	17.10	17.95
	(f)	17.10	17.95
Chapter IV, Part I:			
	1.	208.35	218.75
	2. (a)	12.45	13.05

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
	(b)	36.55	38.40
3.		36.55	38.40
Chapter IV, Part II (actions commenced before 10th June 2002):			
1.		166.35	174.65
2.	(a)	13.75	14.45
		30.35	31.85
	(b)	13.75	14.45
	(c)	43.90	46.10
3.		43.90	46.10
4.		151.40	158.95
5.		72.70	76.35
6.	(a)	66.45	69.75
	(b)	30.45	31.95
7.	(a)	66.45	69.75
	(b)	30.45	31.95
8.	(a)	90.40	94.90
	(b)	55.70	58.50
9.	(a)	72.70	76.35
	(b)	43.90	46.10
10.	(a)	43.90	46.10
	(b)	22.90	24.05
11.	(a)	90.40	94.90
	(i)	66.45	69.75
	(ii)	66.45	69.75
	(b)	151.40	158.95
12.	(a)	75.55	79.35
	(b)	67.80	71.20
	(c)	43.90	46.10
	(d)	30.45	31.95
13.	(a) (i)	90.40	94.90
	(ii)	55.70	58.50
	(b) (i)	72.70	76.35
	(ii)	43.90	46.10
	(c)	43.90	46.10
	(d)	30.45	31.95
	(e)	42.30	44.40
	(f)	30.45	31.95
14.		30.45	31.95
15.	(a)	204.25	214.45
	(b)	43.90	46.10
16.	(a)	90.40	94.90
	(b)	90.40	94.90
	(c)	43.90	46.10
Chapter IV, Part III (actions commenced after 10th June 2002):			
1.		138.90	145.85
2.	(a)	208.35	218.75
	(b)	208.35	218.75
	(c)	138.90	145.85
3.	(a)	14.30	15.00

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
		31.55	33.15
	(b)	14.30	15.00
	(c)	45.65	47.95
4.	(a)	208.35	218.75
	(b)	34.80	36.55
5.		34.80	36.55
6.		50.60	53.15
7.	(a)	111.05	116.60
	(b)	27.15	28.50
8.	(a)	60.45	63.45
	(b)	30.25	31.75
9.		20.15	21.15
10.	(a)	141.35	148.40
	(b)	60.45	63.45
	(c)	27.15	28.50
11.	(a)	141.35	148.40
	(b)	60.45	63.45
	(c)	27.15	28.50
12.		138.90	145.85
13.	(a) (i)	347.10	364.45
	(ii)	416.50	437.35
	(b)	131.40	137.95
	(c)	30.25	31.75
14.	(a)	30.25	31.75
	(b)	27.15	28.50
15.	(a)	100.90	105.95
	(b)	30.25	31.75
16.	(a) (i)	110.85	116.40
	(ii)	90.90	95.45
	(b)	201.70	211.80
	(c)	201.70	211.80
17.	(a) (i)	110.85	116.40
	(ii)	27.15	28.50
	(b) (i)	60.45	63.45
	(ii)	27.15	28.50
	(c) (i)	110.85	116.40
	(ii)	30.25	31.75
	(d)	27.15	28.50
	(e)	27.15	28.50
18.	(a)	201.70	211.80
	(b)	100.90	105.95
	(c)	30.25	31.75
19.	(a)	302.75	317.90
	(b)	30.25	31.75
	(c)	30.25	31.75
20.	(a)	151.50	159.10
	(b)	131.40	137.95
	(c)	27.15	28.50

	<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
Chapter IV, Part III (personal injury claims only commenced on or after 10th June 2002):			
1.		395.15	414.90
2.	(a)	416.50	437.35
	(b)	208.35	218.75
	(c)	208.35	218.75
3.	(a)	17.20	18.05
		37.75	39.65
	(b)	17.20	18.05
	(c)	45.65	47.95
4.	(a)	271.60	285.20
	(b)	37.65	39.55
5.		75.75	79.55
6.		63.20	66.35
7.	(a)	138.90	145.85
	(b)	17.60	18.50
8.	(a)	75.75	79.55
	(b)	37.65	39.55
9.		25.30	26.55
10.	(a)	176.80	185.65
	(b)	75.75	79.55
	(c)	37.65	39.55
11.	(a)	176.80	185.65
	(b)	75.75	79.55
	(c)	37.65	39.55
12.	(a)	555.35	583.10
	(i)	731.65	768.25
	(ii)	164.15	172.35
13.		555.35	583.10
14.	(a)	37.65	39.55
	(b)	33.90	35.60
15.	(a)	126.25	132.55
	(b)	37.65	39.55
16.	(a)	138.55	145.50
	(i)	113.70	119.40
	(ii)	252.25	264.85
	(b)	189.35	198.80
17.	(a)	138.55	145.50
	(i)	33.90	35.60
	(ii)	138.55	145.50
	(b)	33.90	35.60
	(i)	138.55	145.50
	(ii)	37.65	39.55
	(d)	33.90	35.60
	(e)	33.90	35.60
18.	(a)	252.35	264.95
	(b)	126.25	132.55
	(c)	37.65	39.55
19.	(a)	378.55	397.50

	(1) <i>Provision</i>	(2) <i>Old Fee £</i>	(3) <i>New Fee £</i>
	(b)	214.55	225.30
	(c)	37.65	39.55
	(d)	37.65	39.55
20.	(a)	189.35	198.80
	(b)	164.15	172.35
	(c)	33.90	35.60
21.	(a)	164.15	172.35
	(b) (i)	164.15	172.35
	(b) (ii)	33.90	35.60

EXPLANATORY NOTE

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

This Act of Sederunt makes amendments to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993.

Paragraph 2 amends the table of fees in Schedule 1 in respect of work carried out by solicitors in the sheriff court by increasing the hourly rate that is recoverable to £142 and increasing the remaining fees in the table of fees by 5%. The last increase in fees was made by the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment) 2008.

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

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SHERIFF COURT

Act of Sederunt (Fees of Solicitors in the Sheriff Court)
(Amendment) 2009

£5.00