

SCHEDULE 1

Article 2(10)(a)

TABLE OF FEES

Payable from 10th December 2012

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee Payable) £</i>	<i>Column 3 (Fee Formerly Payable)(1) £</i>
PART I — COMMISSARY PROCEEDINGS		
1. Petition for—		
(a) appointment of executor;	16	15
(b) restriction of caution;	16	15
(c) special warrant;	16	15
(d) sealing up of repositories or the like;	16	15
(e) appointment of Commissary factor.	16	15
(NOTE: the fee for all petitions in paragraph 1 includes issue of extract decree)		
2. Sealing up repositories or the like, per hour.	27	25
3.		
(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	200
(ii) where the amount of the estate exceeds £50,000;	200	200
(b) receiving and examining additional or corrective inventory of estate or inventory of estate <i>ad non executata</i> ;	200	200
(c) Receiving and examining inventory of estate where it is declared that confirmation is not required.	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this	The fees payable are 50% of those specified in sub paragraph (a) or (b) of this paragraph.

(1)

Column 3 shows the fees which were payable under [S.I. 1997/687](#) immediately before the coming into force of this Schedule.(2) [1892 c.6](#).

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Column 1 (Matters)	Column 2 (Fee Payable) £	Column 3 (Fee Formerly Payable)(1) £
	paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable	If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable
4. Commissary copying and extracting.		
(1) Certificate of confirmation—		
(a) if ordered when lodging inventory, each certificate;	5	5
(b) if ordered subsequent to lodging inventory—		
(i) first certificate, including search fee;	16	15
(ii) each subsequent certificate.	5	5
(2) Copy or duplicate confirmation—		
(a) if ordered when lodging inventory;	11	10
(b) if ordered subsequent to lodging inventory—		
(i) duplicate confirmation, including search fee;	21	20
(ii) each subsequent duplicate confirmation if ordered at the same time as the duplicate confirmation in head (i).	11	10
(3) Certified extract confirmation and will (if any)—		
(a) if ordered when lodging inventory;	21	20
(b) if ordered subsequent to lodging inventory—		
(i) certified extract, including search fee;	32	30
(ii) each subsequent certified extract if ordered at the same time as the certified extract in head (i).	21	20
(4) Copy will—		
(a) if ordered when lodging inventory;	5	5
(b) if ordered subsequent to lodging inventory—		
(i) copy will, including search fee;	16	15
(ii) each subsequent copy will if ordered at the same time as the copy will in head (i).	5	5
PART II — SHERIFF COURT		

(1)

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Column 1 (Matters)	Column 2 (Fee Payable) £	Column 3 (Fee Formerly Payable)(1) £
PROCEEDINGS		
Initial Writ		
5. Initial writ in any proceedings not being proceedings for which any other paragraph of this Table prescribes a fee. (NOTE: fee covers issue of extract decree).	85	80
6. European Order for payment in terms of EU Regulation 1896/2006 – application for European Order for payment.	85	80
Divorce and dissolution of civil partners		
7. 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). (NOTE: fee covers issue of extract decree).	133	125
Application for simplified divorce and simplified dissolution of civil partnership		
8. Any application (inclusive of all procedures other than those specified at paragraphs 9 and 38). (NOTE: fee covers issue of extract decree).	101	95
9. Subsequent application upon change of circumstances by party.	27	25
Summary warrant		
10. Application for summary warrant.	64	60
Bankruptcy		
11. Petition for sequestration of estates or petition for recall of award of sequestration.	101	95
12. Miscellaneous applications, including appeals under the Bankruptcy (Scotland) Act 1985(3).	53	50
13. Application for the approval of composition.	32	30
Declarator and petitions for completion of title for the Sheriff of Chancery		
14. Application for declarator and petition for completion of title to the Sheriff of Chancery.	201	190
15. Issue of chancery extract.	95	90

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(3) 1985 c.66.

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Column 1 (Matters)	Column 2 (Fee Payable) £	Column 3 (Fee Formerly Payable)(1) £
16. Summons - summary cause (including small claim and European small claim procedure) (NOTE: fee covers issue of extract decree)—		
(a) actions for payment of money for less than £200 (or 250 euros for European small claims);	16	15
(b) other actions;	69	65
(c) on the marking of an appeal;	53	50
Criminal procedure		
17. Complaint.	32	30
Road Traffic Offenders Act 1988(4)	80	75
18. Petition for removal of disqualification.		
Miscellaneous		
19. Application under section 4 of the Requirements of Writing (Scotland) Act 1995(5).	16	15
20. Caveat.	32	30
21. Any proceedings under section 12 or 18 of the Civil Jurisdiction and Judgments Act 1982(6).	21	20
22. Note in a liquidation or judicial factory.	32	30
Defender's responses		
23. First writ, reponing note, application for recall of decree or attendance to state a defence or oppose an interim order (fee payable by each defender or compearer) (NOTE: fee covers issue of extract decree) —		
(a) in proceedings to which paragraph 5 of this Table applies;	85	80
(b) in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of civil partnership).	133	125
Civil court procedure		

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(4) 1988 c.53.

(5) 1995 c.7.

(6) 1982 c.27. Section 12 was amended by the Civil Jurisdictions and Judgements 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.

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Payable by pursuer		
24. Lodging of a certified copy record under the Ordinary Cause Rules 1993(7) (NOTE: fee payable only once in respect of a cause).	101	95
25. Lodging of a certified closed record under the additional procedure of the Ordinary Cause Rules.	101	95
26. Fixing, allocating or assigning of a proof, a debate or a hearing in a summary or miscellaneous application on the merits of the cause.	48	45
27. For each day or part thereof of proof, debate or hearing in a summary or miscellaneous application on the merits of the cause (NOTE: not payable if the proof, debate or hearing does not proceed on that day).	201	95
28. Endorsing of a minute in Form F27 in terms of rule 33.29(1)(b) of the Ordinary Cause Rules (NOTE: fee payable only once in respect of a cause).	58	55
Payable by any party (including pursuer)		
29. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	42	40
30. Marking an appeal to the Sheriff Principal in any proceedings (other than as provided for in paragraph 16(c) of this Table).	101	95
Sheriff court books		
31. Recording protest of a bill or promissory note (NOTE: Extract to be charged as in paragraph 36 of this Table).	21	20
32. Preservation of deeds, each deed (NOTE: This includes recording and engrossing. If extracts are required, a separate fee is to be charged as in paragraph 36 of this Table).	11	10
Miscellaneous office procedures		
33. Lodging each set of plans or other Parliamentary deposit.	64	60
34. Inspection of report of auction and the auditor of court's report.	16	15

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(7) See Schedule 1 of the Sheriff Courts (Scotland) Act [1907 \(c.51\)](#).

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35. 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 appropriately included in the Ordinary Cause Rules, with the fees below payable in advance— (a) weekly for 12 months; (b) twice weekly for 12 months; (c) 4 times weekly for 12 months.	307 610 1,230	290 575 1,160
36. Recording, engrossing, extracting, printing 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 37 of this Table)— (a) by photocopying or otherwise producing a printed or typed copy— (i) up to 10 pages; (ii) each page or part thereof in excess of 10 pages; (b) for a copy of a document in electronic form. (NOTE: Recording in Sheriff Court Register of Deeds to be charged as in paragraph 36(a).)	5 0.50 5	5 0.50 5
37. Any search of records or archives, except as provided for at paragraph 4 of this Table— (a) up to 30 minutes; (b) more than 30 minutes up to 2 hours; (c) each additional 30 minutes in excess of 2 hours; (d) in addition, correspondence fee where applicable.	16 42 11 11	15 40 10 10
38. Citation of, or intimation to, any person or persons by sheriff officers as instructed by the sheriff clerk.	11 plus sheriff officer's fee	11 plus sheriff officer's fee
PART III — AUDITOR OF COURT		
39. Taxing accounts of expenses incurred in judicial proceedings remitted to the auditor of court for taxation— (a) lodging account for taxation. (b) taxing accounts of expenses etc.— (i) up to £400;	38 20	36 19

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(ii) for every additional £100 or part thereof. (NOTE: Fee to be determined by auditor of court on amount of account as submitted.)	5	5
(c) cancellation of diet of taxation— (i) where written notice of cancellation received by receiving party within 3 working days of diet; (ii) where written notice of cancellation received by receiving party on the working day before or the day of the diet.	50% of fee that would have been payable under subparagraph (b) of this paragraph 75% of fee that would have been payable under subparagraph (b) of this paragraph	50% of fee that would have been payable under subparagraph (b) of this paragraph 75% of fee that would have been payable under subparagraph (b) of this paragraph

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