

SCHEDULE 3

Article 3(1)(c)

TABLES OF FEES

PART 1

Sheriff court

Payable from 1st April 2017

<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;	18	18
(b) restriction of caution;	18	18
(c) special warrant;	18	18
(d) sealing up of repositories or the like;	18	18
(e) appointment of Commissary factor.	18	18
(NOTE: the fee for all petitions in paragraph 1 includes issue of extract decree)		
2. Sealing up repositories or the like, per hour.	31	30
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 is required does not exceed—		
£10,000;	No fee	No fee
£50,000;	230	225
(ii) where the amount of the estate exceeds £50,000;	230	225
(b) receiving and examining additional or corrective inventory of estate or inventory of estate <i>ad non executata</i> ;	230	225

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<i>Column 1 (Matters)</i>	<i>Column 2 (Fee Payable) £</i>	<i>Column 3 (Fee Formerly Payable)(1) £</i>
(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 paragraph. If confirmation is subsequently required the remaining 50% of the fees specified in sub paragraph (a) or (b) are payable	The fees payable are 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) are payable
4. Commissary copying and extracting. (1) Issuing certificate of confirmation— (a) if ordered when lodging inventory, each certificate; (b) if ordered subsequent to lodging inventory— (i) first certificate, including search fee; (ii) each subsequent certificate.	7 18 7	7 18 7
(2) Copy or duplicate confirmation— (a) if ordered when lodging inventory; (b) if ordered subsequent to lodging inventory— (i) duplicate confirmation, including search fee; (ii) each subsequent duplicate confirmation if ordered at the same time as the duplicate confirmation in head (i).	12 25 12	12 24 12
(3) Certified extract confirmation and will (if any)— (a) if ordered when lodging inventory; (b) if ordered subsequent to lodging inventory— (i) certified extract, including search fee; (ii) each subsequent certified extract if ordered at the same time as the certified extract in head (i).	25 37 25	24 36 24
(4) Copy will— (a) if ordered when lodging inventory; (b) if ordered subsequent to lodging inventory—	7 18	7 18

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(i) copy will, including search fee; (ii) each subsequent copy will if ordered at the same time as the copy will in head (i).	7	7
PART II — SHERIFF COURT		
PROCEEDINGS		
<i>Initial Writ</i>		
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).	98	96
6. European Order for payment in terms of EU Regulation 1896/2006 – application for European Order for payment.	98	96
<i>Divorce and dissolution of civil partners</i>		
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).	153	150
<i>Application for simplified divorce and simplified dissolution of civil partnership</i>		
8. Any application (inclusive of all procedures other than those specified at paragraphs 9 and 38). (NOTE: fee covers issue of extract decree).	115	113
9. Subsequent application upon change of circumstances by party.	31	30
<i>Summary warrant</i>		
10. Application for summary warrant.	72	71
<i>Bankruptcy</i>		
11. Petition for sequestration of estates or petition for recall of award of sequestration.	115	113
12. Miscellaneous applications, including appeals under the Bankruptcy (Scotland) Act 1985.	60	59
13. Application for the approval of composition.	37	36
<i>Declarator and petitions for completion of title for the Sheriff of Chancery</i>		
14. Application for declarator and petition for completion of title to the Sheriff of Chancery.	232	227
15. Issue of chancery extract.	109	107

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<i>Column 1 (Matters)</i>	<i>Column 2 (Fee Payable) £</i>	<i>Column 3 (Fee Formerly Payable)(1) £</i>
Summary cause		
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 of £200 or less (or 250 euros for European small claims);	18	18
(b) other actions;	80	78
(c) on the marking of an appeal.	60	59
Criminal procedure		
17. Complaint.	37	36
Road Traffic Offenders Act 1988(2)		
18. Petition for removal of disqualification.	91	89
Miscellaneous		
19. Application under section 4 of the Requirements of Writing (Scotland) Act 1995.	18	18
20. Caveat.	37	36
21. Any proceedings under section 12 or 18 of the Civil Jurisdiction and Judgments Act 1982.	25	24
22. Note in a liquidation or judicial factory.	37	36
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 compeerer) (NOTE: fee covers issue of extract decree) —		
(a) in proceedings to which paragraph 5 of this Table applies;	98	96
(b) in an action of divorce or dissolution of a civil partnership (other than a simplified divorce or dissolution of civil partnership).	153	150
Civil court procedure Payable by pursuer		
24. Lodging of a certified copy record under the Ordinary Cause Rules (NOTE: fee payable only once in respect of a cause).	115	113
25. Lodging of a certified closed record under the additional procedure of the Ordinary Cause Rules.	115	113

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(2) 1988 c.53.

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<i>Column 1 (Matters)</i>	<i>Column 2 (Fee Payable) £</i>	<i>Column 3 (Fee Formerly Payable)(1) £</i>
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.	55	54
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).	232	227
28. Initial lodging of affidavits in a family action where proof by affidavit evidence has been allowed.	67	66
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.	49	48
30. Marking an appeal to the Sheriff Principal in any proceedings (other than as provided for in paragraph 16(c) of this Table).	115	113
<i>Sheriff court books</i>		
31. Recording protest of a bill or promissory note (NOTE: Extracts to be charged as in paragraph 36 of this Table).	25	24
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).	12	12
<i>Miscellaneous office procedures</i>		
33. Lodging each set of plans or other Parliamentary deposit.	72	71
34. Inspection of report of auction and the auditor of court's report.	18	18
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— weekly for 12 months.	353	346
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)—	6	6

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(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 31.)	0.50 6	0.50 6
37. Any search of records or archives, except as provided for at paragraph 4 of this Table, per 30 minutes or part thereof.— In addition, correspondence fee where applicable.	12 12	12 12
38. Citation of, or intimation to, any person or persons by sheriff officer as instructed by the sheriff clerk.	12 plus sheriff officer's fee	12 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; (ii) for every additional £100 or part thereof. (NOTE: Fee to be determined by auditor of court on amount of account as submitted.)	44 20 5	43 20 5
(c) cancellation of diet of taxation— (i) where written notice of cancellation received from receiving party after 4.00 pm on the fourth working day before the day of diet of taxation; (ii) where written notice of cancellation received from receiving party after 4.00 pm on the second working day before the day of the diet of taxation.	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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PART 2

Sheriff Personal Injury Court

Payable from 1st April 2017

<i>Column 1 (Matters)</i>	<i>Column 2 (Fee Payable) £</i>	<i>Column 3 (Fee Formerly Payable)(3) £</i>
1. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute.	55	54
2. Fixing, allocating or assigning of a proof or trial, a debate or a hearing on the merits of the cause	60	59
3. Hearing fee: per 30 minutes or part thereof.	79	77
4. Lodging a certified copy closed record. (NOTE: fee payable only once in respect of a cause).	109	107
5. Initial writ. (NOTE: fee covers issue of extract decree).	218	214
6. Lodging defences (fee payable by each defender or compeerer). (NOTE: fee covers issue of extract decree).	218	214
7. Citation of a civil jury. (NOTE: includes outlays incurred in citing and countermanding, and is payable on the lodging of a proposed issue for jury trial.)	304	298
8. Certified copy of a document	18	18

(3)

Column 3 shows the fees which were payable by virtue of Part 2 of Schedule 2 to this Order immediately before the coming into force of this Schedule.