
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 81

The Sheriff Court Fees Order 2018

Interpretation

2. In this Order—

“extract decree” includes any duly authenticated extract of an order made by the sheriff in respect of any licence, appointment, discharge or like matter;

“minute” means a minute in terms of rule 14.2 of the Ordinary Cause Rules;

“motion” means—

- (a) a written motion to which Chapter 15 of the Ordinary Cause Rules applies;
- (b) a written motion to which Chapter 15A of those Rules applies; or
- (c) a written motion made in an undefended family action in terms of Chapter 33 of those Rules in which no notice of intention to defend has been lodged;

“Ordinary Cause Rules” means the Ordinary Cause Rules 1993⁽¹⁾;

“partner” means a person to whom a person is married or with whom the person is in a civil partnership;

“sheriff clerk” includes the Sheriff Clerk of Chancery, the Commissary Clerk of Edinburgh and sheriff clerk depute;

“summary cause” has the meaning assigned to it by section 35(1) of the Sheriff Courts (Scotland) Act 1971⁽²⁾; and

“writ” means any document containing written pleadings relating to proceedings in the sheriff court and includes an inventory of estate, a precept of arrestment on a liquid document of debt, a notice of intention to defend and a notice of appearance lodged in an action of multiplepointing under rule 35.8 of the Ordinary Cause Rules.

⁽¹⁾ The Ordinary Cause Rules 1993 are in schedule 1 of the Sheriff Courts (Scotland) Act 1907 (c.51). Schedule 1 was substituted by S.I. 1993/1956 and was last amended by S.S.I. 2017/186.

⁽²⁾ 1971 c.58.