1966 No. 1304 (S.100)

REGISTERS AND RECORDS, SCOTLAND

Act of Sederunt (Amendment of Fees in the Department

of the Registers of Scotland) 1966

Made - - - 12th October 1966

Coming into Operation 14th November 1966

The Lords of Council and Session, in respect that amended tables of fees to be taken on and after 14th November 1966 in the General Register of Sasines have been prepared and approved in terms of section 25 of the Land Registers (Scotland) Act 1868(a), by virtue of the powers vested in them do hereby enact and declare as follows:—

1. The fees to be charged in the Department of the Registers of Scotland shall be those specified in the Schedule hereto.

2. Section 1 of the Act of Sederunt (Amendment of Fees in the Departments of the Registers of Scotland and of the Records of Scotland) 1956(b), Schedule I thereto as amended by the Act of Sederunt (Amendment of Fees in the Departments of the Registers of Scotland and of the Records of Scotland) 1962(c), and section 1 of the Act of Sederunt (Amendment of Fees in the Departments of the Registers of Scotland and of the Records of Scotland) 1962(c) are hereby repealed.

3. This Act of Sederunt may be cited as the Act of Sederunt (Amendment of Fees in the Department of the Registers of Scotland) 1966, and shall come into operation on 14th November 1966.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

J. L. Clyde, I.P.D.

Edinburgh, 12th October 1966.

(b) S.I. 1956/530 (1956 II, p. 1961).

⁽a) 1868 c. 64.

⁽c) S.I. 1962/2842 (1962 III, p. 4065).

SCHEDULE

TABLES OF FEES IN THE DEPARTMENT OF THE REGISTERS OF SCOTLAND

A. GENERAL REGISTER OF SASINES

Registration Fees

Conveyance including absolute conveyance, voluntary or judicial, either for a price or as a gift or in implement of trust or other purpose, completion of title by decree or by Notice of Title, feu-right, lease, deed creating a ground annual or other yearly or periodical payment where there is a transfer of heritable property not in security, and generally all deeds transferring an absolute right to heritable subjects.

Where (a) the consideration, (b) the value of the heritable subjects transferred or passing, (c) the capitalised amount* of (i) feu duty, (ii) rent, or (iii) ground annual or other yearly or periodical sum, *plus* the consideration (if any),

	•	£						£	s.	đ.
does not	exceed	500	••		••	••	••	1	0	0
,,	**	1,000	••	••	••	••	••	1	10	0
"	,,	2,000	••	••	••	••	••	2	10	0
**	**	3,000	••	••	••	••	••	3	15	0
**	"	4,000	••	••	••	••	••	5	0	0
**	,,	5,000	••	••	• •	••	••	6	10	0
**	**	10,000	••	••	• •	••	••	14	0	0
,,	**	20,000	••	••	••	••	••	20	0	0
**	,,	50,000	••	••	••	••	••	25	0	0
"	,,	100,000	••	••	••	••		30	0	0
exceeds		100,000	••	••	••	• •	••	60	0	0

Securities including their constitution, transfer, postponement, corroboration and extinction and advances secured by *ex facie* absolute conveyances (but excluding ground annuals created by bilateral deed).

Where the amount of the security or securities created, transferred, postponed, corrobarated or discharged or the amount of the securities affected by any combination of transfer, postponement, corroboration and discharge, or, in the case of a sum payable annually, the capitalised value[†] of such security or securities created, transferred, postponed, corroborated or discharged at the time (excluding ground annuals created by bilateral deed),

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		£						£ s. d.	
does not	t exceed	500	••	••	••	••	••	15 0	
,,	,,	1,000	••	••	••	••	• •	100	
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**	"	10,000	••	••	••	••	••	700	
17	**	20,000	••	••	••	••	• •	14 0 0	
**	**	50,000	••	••	••	••	••	20 0 0	
"	"	100,000	••	••	••	••		25 0 0	
exceeds		100,000	••	••	••	••	••	30 0 0	

Note. In the case of a restriction where part of the sum in the security or securities is paid up, the charge will be made upon the amount of the discharge.

*Calculated at 20 years' purchase.

 \uparrow Calculated (a) for perpetual annuities at 20 years' purchase, and (b) for liferent annuities according to value of expectancy.

Where part of the security subjects is wholly disburdened of a securities and no payment made to account of the principal, the charge will be a fixed charge of	£ 0 1	s. 10 0	or d. 0 0
Writs Recorded by Memorandum Where a writ is recorded by Memorandum in more than one County in terms of section 3 of the Land Registers (Scotland) Act 1868 (31 & 32 Vict. c. 64), there shall be charged a further fee for each Memorandum of	0	10	0
for each Memorandum	0	10	0
Receipts registered in terms of section 34 of the Industrial and Provident Societies Act 1965 c. 12 For each Receipt (inclusive fee)	0	5	0
Extracts			
For each page or part thereof typed or reproduced by photography of a Writ or Record Volume	0	3	0
For each Extract or Certified Copy in addition to copying fee .	•	2	6
Inspection, Excerpts, etc. For inspection of each Writ recorded for publication For inspection of each Writ recorded for preservation before	0	2	6
transmission to Record Office	0 0	2 2	6 6
For excerpts from or copies of any Record Volume or Writ made by the public, in addition to the fee for inspection of the Record Volume or Warrant, each 250 words or part thereof	0	0	6

SEARCHING FEES

Searches For every search for Incumbrances over subjects in one County, included in one Search:—

For any period	Value of	Value of subjects	Value of
	subjects	exceeding £250	subjects
	not exceeding	but not exceeding	exceeding
	£250	£500	£500
Not exceeding 5 years From 6 to 10 years. , 11 , 15 , , 16 , 20 , , 21 , 25 , , 26 , 30 , , 31 , 35 , , 36 , 40 ,	$ \begin{array}{cccccccccccccccccccccccccccccccccccc$	$ \begin{array}{cccccccccccccccccccccccccccccccccccc$	£ s. d. 0 15 0 1 4 0 1 19 0 2 14 0 3 9 0 4 4 0 4 19 0 5 14 0

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In any Search for a period exceeding 40 years a fee of 1s. 6d., 2s. 0d. or 3s. 0d. respectively according to value shall be charged for each year or part of a year beyond 40 years.

When a Search shall be required in respect of subjects situated in more than one County, the fees above specified shall be charged for one County calculated on the *cumulo* value of the subjects in the Search and half fees at the same rate shall be charged for each additional County to which the Search shall apply.

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REGISTERS AND RECORDS, SCOTLAND

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*Note.—Section 41(1) of the Government of Ireland Act 1920 (10 & 11 Geo. 5. c. 67) provides that "all enactments relating to the Supreme Court of Judicature in Ireland ... shall apply to the Supreme Court of Judicature in Southern Ireland and to the Supreme Court of Judicature in Ireland respectively as they apply to the Supreme Court of Judicature in Ireland ... and as if for references to the High Court of Justice in Ireland or the High Court of Justice in Northern Ireland as the case may be."

[†]See Note as to Government of Ireland Act 1920, under E.

Note .-- " Page " in Chancery Registers means a page of Record Volume.

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EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt consolidates the Acts of Sederunt declaring the fees to be charged in the Department of the Registers of Scotland, with amendments to give effect to certain new tables of fees prepared and approved in terms of Section 25 of the Land Registers (Scotland) Act 1868.

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