

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(Amendment of Fees in the Departments of the Registers of Scotland and of the Records of Scotland) 1962(c) are hereby repealed.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.

(a) 1868 c. 64.

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

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

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.	d.
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, corroborated 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),

	£	..	..	..	..	..	£	s.	d.
does not exceed	500	..	..	..	..	..	15	0	0
”	1,000	..	..	..	..	..	1	0	0
”	2,000	..	..	..	..	..	1	10	0
”	3,000	..	..	..	..	..	2	5	0
”	4,000	..	..	..	..	..	3	0	0
”	5,000	..	..	..	..	..	3	10	0
”	10,000	..	..	..	..	..	7	0	0
”	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.

†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 security or securities and no payment made to account of the principal, £ s. d.
 the charge will be a fixed charge of 0 10 0
Miscellaneous Writs not coming under "Conveyance" or "Securities".

Where the writ affects an absolute right in any heritable subjects .. 1 0 0
 Where the writ affects a security right in any heritable subjects .. 0 15 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

Where a writ is re-recorded by Memorandum in terms of (a) section 5 of the said Act, (b) section 6 of the Writs Execution (Scotland) Act 1877 (40 & 41 Vict. c. 40), or (c) section 47 of the Conveyancing (Scotland) Act 1924 (14 & 15 Geo. 5. c. 27), there shall be charged 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

Authentication

For each Extract or Certified Copy in addition to copying fee .. 2 6

Inspection, Excerpts, etc.

For inspection of each Writ recorded for publication .. 0 2 6

For inspection of each Writ recorded for preservation before transmission to Record Office 0 2 6

For inspection of each Record Volume 0 2 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 subjects not exceeding £250	Value of subjects exceeding £250 but not exceeding £500	Value of subjects exceeding £500
	£ s. d.	£ s. d.	£ s. d.
Not exceeding 5 years	0 7 6	0 10 0	0 15 0
From 6 to 10 years..	0 12 0	0 16 0	1 4 0
" 11 " 15 " ..	0 19 6	1 6 0	1 19 0
" 16 " 20 " ..	1 7 0	1 16 0	2 14 0
" 21 " 25 " ..	1 14 6	2 6 0	3 9 0
" 26 " 30 " ..	2 2 0	2 16 0	4 4 0
" 31 " 35 " ..	2 9 6	3 6 0	4 19 0
" 36 " 40 " ..	2 17 0	3 16 0	5 14 0

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.

	£	s.	d.
For writing or typing each page or part thereof	0	3	0
For writing or typing duplicates of Official Searches, each page or part thereof	0	3	0
Authentication			
For each certified duplicate of Official Search	0	2	6

When fees for a Search in the Register of Sasines have been paid in the Record Office no fee will be charged in the Sasine Office in respect of a continuation of such Search by the current Indexes of Persons and/or Places.

Interim Reports

Interim Reports prior to completion of Search	0	10	6
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Reports from Search Sheets

For personal inspection of any Search Sheet affecting one property:—

Not exceeding 5 years	0	5	0
From 6 to 10 years	0	7	6
" 11 " 15 "	0	10	0
" 16 " 20 "	0	12	6
" 21 " 30 "	0	15	0
" 31 " 40 "	1	0	0

6d. additional for each year or part of a year beyond 40 years.

Half fees for each County after the first.

There is no charge for notes made by the party inspecting the Search Sheet.

B.—GENERAL REGISTER OF HORNING REGISTRATION FEES

For each page or part thereof	0	4	0
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C.—REGISTER OF INHIBITIONS AND ADJUDICATIONS REGISTRATION FEES

For each page or part thereof	0	4	0
For inspection of the Minute Book or Index for the current year..	0	3	0

When fees for a Search in the Register of Inhibitions and Adjudications have been paid in the Record Office, no fee will be charged in respect of a continuation of such Search in the current year's Index.

Fees under the Bankruptcy Statutes

For extracts or Certified Copies per page or part thereof,	0	3	0
Authentication			
For each extract or Certified Copy in addition to Copying Fee..	0	2	6

SEARCHING FEES

For any period not exceeding 5 years.. .. .	0	5	0
For each additional year or part of a year beyond 5 years.. .. .	0	1	0

Where the number of names searched against exceeds 6, a further charge of 5s. 0d. for each period of 5 years or part thereof shall be made for every 6 additional or fewer names.

	£	s.	d.
For writing or typing each page or part thereof	0	3	0
For writing or typing and certifying duplicates of Official Searches, for each page or part thereof	0	3	0
Authentication			
For each certified duplicate of Official Search	0	2	6

**D.—REGISTER OF ENTAILS
REGISTRATION FEES**

For each page of part thereof	0	7	6
For Certificate of Registration	2	2	0

SEARCHING FEES

For each Search in the Records so far as not transmitted to the Record Office	0	5	0
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**E.—REGISTER OF DEEDS, &C., REGISTER OF PROTESTS, AND REGISTER FOR
ENGLISH AND IRISH JUDGMENTS
REGISTRATION AND SEARCHING FEES**

**1. Registration of Deeds and Certificates of English and Irish
Judgments—**

(a) Registration or Preservation Fee, each deed or certificate..	0	5	0
(b) For each page of Record typed or reproduced by photo- graphy	0	2	6
(c) For each page of Extract typed or reproduced by photo- graphy	0	3	0

Authentication

For each extract or certified copy in addition to copying fee..	0	2	6
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Note.—Each Deed presented for registration shall be charged the fees for registration or preservation, recording, extracting, and authenticating, but second and additional Extracts shall be charged only the fees for extracting, and authenticating.

2. Recording Protest of a Bill or Promissory Note.. .. .

	0	5	0
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**3. Production and inspection of Indexes, Record Volumes and
original Warrants—**

(a) For inspection of Indexes so far as not transmitted to Record Office	0	1	6
(b) For inspection of each Record Volume	0	2	6
(c) For inspection of each original Warrant before transmission to Record Office	0	2	6
(d) For excerpts from or copies of any Record Volume or document made by the public, in addition to the fee for in- spection of the Record Volume or document, each 250 words or part thereof	0	0	6
(e) For production of any Record Volume or original warrant under any Order or Decree of the Lords of Council and Session	1	1	0

	£	s.	d.
4. For each Certificate of Judgment for transmission to the Supreme Courts of England and Ireland*	0	5	0
5. For each Certificate of Custody that a deed is retained for permanent preservation.. .. .	0	5	0
6. For cancellation of the registration of a Judgment issued under the Administration of Justice Act 1920 (10 & 11 Geo. V. cap. 81)..	0	10	0

F.—H.M. CHANCERY

For extracting Decrees of Service (including recording) each page of Extract or part thereof	0	10	0
For additional Extracts, each page or part thereof	0	3	0
For inspection of the process in a Service not transmitted to Record Office	0	7	6
For Certified Copies of the process in a Service not transmitted to Record Office, each page or part thereof	0	3	0
For inspection of each Record Volume	0	2	6
For a Search covering the period not transmitted to Record Office..	0	2	6
For transmitting the Process in a Service under any Order or Decree of the Lords of Council and Session.. .. .	1	1	0
For each Book of Record exhibited in the Supreme Courts of Great Britain and Ireland† or in Courts for the Service of Heirs..	1	1	0
Authentication			
For each extract (excluding first extracts of decrees of service) or certified copy in addition to copying fee.. .. .	0	2	6

G.—REGISTER OF THE GREAT SEAL

For a Charter of Incorporation	25	0	0
For a Charter of Novodamus or other Crown Grant of Land	5	0	0
For a Commission	55	10	0
For each page or part thereof	0	10	0
For each page of recording or part thereof	0	5	0

CACHET SEAL

For each impression	0	5	0
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H.—REGISTER OF THE PRINCE'S SEAL

For a Charter of Novodamus or other grant of land by the Prince and Steward of Scotland	5	0	0
For each page or part thereof	0	10	0
For each page or recording or part thereof	0	5	0

I.—REGISTER OF THE QUARTER SEAL

For each Gift of <i>Ultimus Haeres</i>	2	0	0
For each page or part thereof	0	10	0
For each page or recording or part thereof	0	5	0

*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 Northern 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 there were substituted references to the High Court of Justice in Southern 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.

J.—PRECEPT RECORD (CROWN) AND PRECEPT RECORD (PRINCE AND STEWARD OF SCOTLAND)				£	s.	d.
For each Writ of Clare Constat or other Grant	..	..	..	5	0	0
For each page or part thereof	..	..	..	0	10	0
For each page of recording or part thereof	..	..	..	5	0	0

K.—RECORD OF CROWN GRANTS

For each Minute	..	..	..	0	10	0
For each copy certified in addition to the principal	..	..	..	0	5	0

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.