
STATUTORY INSTRUMENTS

1987 No. 643 (S. 51)

SCOTTISH LAND COURT

The Scottish Land Court (Fees) Amendment Rules 1987

Made - - - - - *26th March 1987*

Coming into force - - - - - *4th May 1987*

The Scottish Land Court, in exercise of the powers conferred by section 29 of the Crofters Holdings (Scotland) Act 1886((1)), and now vested in them((2)), and of all other powers enabling them in that behalf, and with the approval of the Treasury, hereby make the following Rules:

1. These Rules may be cited as the Scottish Land Court (Fees) Amendment Rules 1987 and shall come into force on 4th May 1987.
2. For the Table of Fees contained in Appendix 1 to the Scottish Land Court Rules 1979((3)) there shall be substituted the Table of Fees set out in the Schedule to these Rules.
3. The Scottish Land Court (Fees) Amendment Rules 1983((4)) are hereby revoked.

Sealed with the Common Seal of the Scottish Land Court

Scottish Land Court,
1 Grosvenor Crescent,
Edinburgh
18th March 1987

W.A. Elliott
Duncan D. McDiarmid
A.B. Campbell
R. MacDonald

(1) 1886 c. 29; section 29 was amended by the [Divorce Jurisdiction, Court Fees and Legal Aid \(Scotland\) Act 1983 \(c.12\)](#), Schedule 1, paragraph 6.
(2) By the [Small Landholders \(Scotland\) Act 1911 \(c. 49\)](#), section 28(1).
(3) S.I.1979/379, amended by S.I. 1983/1058.
(4) S.I. 1983/1058.

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We approve,

26th March 1987

Michael Neubert
Tim Sainsbury
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Rule 2

TABLE OF FEES CHARGEABLE BY AND PAYABLE TO THE COURT

	Fee payable £	Fee formerly payable ⁽⁵⁾ £
(1) Small Landholders (Scotland) Acts 1886 to 1931, Crofters (Scotland) Acts 1955 and 1961 ⁽⁶⁾ and Crofting Reform (Scotland) Act 1976 ⁽⁷⁾		
(a) (a) Application for a Record of a holding or a croft		
Principal application (each applicant)	20.00	10.00
For each respondent	4.00	2.00
(b) (b) Recording agreements for loan by–		
(i) the Department of Agriculture and Fisheries for Scotland and		
(ii) the Highlands and Islands Development Board		
Each agreement	10.00	5.00
(c) (c) Other applications		
Principal application (each crave)	4.50	4.00
When more than one applicant (each applicant)	4.50	4.00
For each respondent	1.00	1.00
(d) (d) Appeals and motions for rehearing		
Each appellant or motioner	4.50	4.00
Each respondent	1.00	1.00

⁽⁵⁾ This column shows the fees formerly payable under the Scottish Land Court Rules 1979 as amended by S.I. 1983/1058.

⁽⁶⁾ 1955 c. 21 and 1961 c. 58.

⁽⁷⁾ 1976 c. 21.

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	Fee payable £	Fee formerly payable ⁽⁵⁾ £
(2) Sheep Stocks Valuation (Scotland) Act 1937 ⁽⁸⁾ and Hill Farming Act 1946 ⁽⁹⁾		
(a) (a) Valuation of sheep stocks		
Awards not exceeding £100	5.00	5.00
Awards exceeding £100:–		
For the first £100 thereof	5.00	5.00
For every additional £100 or part thereof	2.00	2.00
Where application dismissed or withdrawn before valuation	20.00	15.00
(b) (b) Determination of questions under sections 5 and 39(1) (b) of the Hill Farming Act 1946		
Principal application	20.00	15.00
For each respondent	7.50	5.00
(c) (c) Appeals and motions for rehearings		
Each appellant or motioner	21.00	20.00
(3) Agriculture (Scotland) Act 1948 ⁽¹⁰⁾ , Agricultural Holdings (Scotland) Act 1949 ⁽¹¹⁾ , Agriculture Act 1958 ⁽¹²⁾ , Agriculture (Miscellaneous Provisions) Act 1968 ⁽¹³⁾ and Agricultural Holdings (Amendment) (Scotland) Act 1983 ⁽¹⁴⁾		
(a) (a) Arbitrations as to rents		
Rental as fixed by Court, not exceeding £500	50.00	10.00 on fixed rental not exceeding £100

⁽⁵⁾ This column shows the fees formerly payable under the Scottish Land Court Rules 1979 as amended by S.I. 1983/1058.

⁽⁸⁾ 1937 c. 34.

⁽⁹⁾ 1946 c. 73.

⁽¹⁰⁾ 1948 c. 45.

⁽¹¹⁾ 1949 c. 75.

⁽¹²⁾ 1958 c. 71.

⁽¹³⁾ 1968 c. 34.

⁽¹⁴⁾ 1983 c. 46.

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	Fee payable £	Fee formerly payable ⁽⁵⁾ £
Rental as fixed by court exceeding £500:–		
For the first £500	50.00	10.00 on fixed rental not exceeding £100
For every additional £100 or part thereof	7.50	5.00 for every additional £100 or part thereof exceeding £100
Where application dismissed or withdrawn before compensation fixed	45.00	15.00
(b) (b) Appeals against award by an arbiter		
Fee payable on lodging appeal	45.00	
Rental as fixed by court not exceeding £500	25.00	
Rental as fixed by court exceeding £500:–		
For the first £500	25.00	
For every additional £100 or part thereof	3.00	
(c) (c) Claims for compensation		
Awards not exceeding £100	10.00	10.00
Awards exceeding £100:–		
For the first £100 thereof	10.00	10.00
For every additional £100 or part thereof	5.00	5.00
Where application dismissed or withdrawn before compensation fixed	20.00	15.00
(d) (d) Other Applications		
Principal application (each crave)	30.00	25.00
When more than one applicant (each applicant)	30.00	25.00
For each respondent	15.00	10.00
(e) (e) Hearings		

(5) This column shows the fees formerly payable under the Scottish Land Court Rules 1979 as amended by [S.I. 1983/1058](#).

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	Fee payable £	Fee formerly payable ⁽⁵⁾ £
For every day the court sits beyond the first day of a hearing	40.00	35.00
(f) (f) Appeals and motions for rehearing		
Each appellant, or motioner for rehearing	21.00	20.00
(4) Miscellaneous		
(a) (a) For making a copy or copies of the principal application or any part of it, or any order in it, or any original deed, writ, or document in process		
For each sheet	0.75	0.70
For certifying such copy	4.00	3.00
(b) (b) Applications not otherwise specified		
Principal application (each crave)	30.00	15.00
When more than one applicant (each applicant)	30.00	15.00
For each respondent	15.00	5.00

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Table of Fees in the Scottish Land Court Rules 1979 for two purposes—

(1) to increase (with some exceptions) the fees payable in respect of applications to the Scottish Land Court; and

(2) to impose, at paragraph (3)(b), for the first time, fees in respect of appeals against awards by arbiters.

The Rules also revoke the Scottish Land Court (Fees) Amendment Rules 1983.

⁽⁵⁾ This column shows the fees formerly payable under the Scottish Land Court Rules 1979 as amended by [S.I. 1983/1058](#).

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