
STATUTORY INSTRUMENTS

1988 No. 2167 (S.210)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Fees of Sheriff Officers) (No.2) 1988

Made - - - - *9th December 1988*
Laid before Parliament *21st December 1988*
Coming into force - - *11th January 1989*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 40 of the Sheriff Courts (Scotland) Act 1907⁽¹⁾ and of all other powers enabling them in that behalf, do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Sheriff Officers) (No.2) 1988 and shall come into force on 11th January 1989.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Amendment of Act of Sederunt (Fees of Sheriff Officers) 1978

2.—(1) The Schedule to the Act of Sederunt (Fees of Sheriff Officers) 1978⁽²⁾ shall be amended in accordance with the following sub-paragraphs.

(2) In Part I of the Schedule (Ordinary Court) —

(a) in paragraph 3 (poundings) after sub-paragraph (f) insert the following sub-paragraphs:—

“(g) To serving a notice under £4.20
section 18(1) of the Debtors
(Scotland) Act 1987⁽³⁾

(h) To making a report under £7.05
section 21(4) of the Debtors
(Scotland) Act 1987

(1) 1907 c. 51

(2) S.I.1978/1423, amended by S.I. 1956/266 and 1985/1502

(3) 1987 c. 18

- (i) To granting a receipt under £3.55 section 21(5) of the Debtors (Scotland) Act 1987
- (j) To making a report under £3.55 section 22(1) of the Debtors (Scotland) Act 1987
- (k) To granting a receipt under £3.55 section 41(4) of the Debtors (Scotland) Act 1987
- (l) To making a report under £7.05”; section 41(5)(b) of the Debtors (Scotland) Act 1987

(b) in paragraph 6 (sales), after sub-paragraph (i) insert the following sub-paragraphs:—

- “(j) To applying for a warrant of sale £3.55 under section 30(1) of the Debtors (Scotland) Act 1987
- (k) To serving a copy application for £4.20 a warrant of sale under section 30(3) of the Debtors (Scotland) Act 1987—each debtor
- (l) To granting a receipt under £3.55 section 33(3) of the Debtors (Scotland) Act 1987
- (m) To making a report under £7.05 section 33(5)(b) of the Debtors (Scotland) Act 1987
- (n) To arranging warrant sale £4.60 under a warrant of sale obtained under section 31(2)(a) of the Debtors (Scotland) Act 1987
- (o) To intimating the date arranged £4.20 for a warrant sale under section 34(1) (a) of the Debtors (Scotland) Act 1987 -each debtor or possessor
- (p) To serving a copy warrant of sale £5.60 under section 34(1) of the Debtors (Scotland) Act 1987—each debtor or possessor
- (q) To giving public notice of £2.25 warrant sale under section 34(4) of the Debtors (Scotland) Act 1987
- (r) To arranging locksmith and £2.25 tradesman to be in attendance by virtue of the power under

section 31(2)(c) of the Debtors
(Scotland) Act 1987

(s) To removing articles to place of £11.55
warrant sale

To reserving time therefor £4.60

To arranging tradesmen to be in attendance £2.25
therefor

Porterage and transport fees in addition

(t) To attending and conducting £8.50
a warrant sale under the Debtors
(Scotland) Act 1987 when appraised
value of poinded effect does not
exceed £50

Each additional £25 or part thereof £2.75

(u) To attending and supervising a £11.55
warrant sale

(v) To returning articles where sale £11.55
cancelled under section 36(1) of the
Debtors (Scotland) Act 1987

To reserving time therefor £4.60

To arranging tradesmen to be in £2.25
attendance therefor

Porterage and transport fees in addition

(w) To making a report under £7.05
section 36(2) of the Debtors
(Scotland) Act 1987

(x) To making a report of sale £7.05":
under section 39(1) of the Debtors
(Scotland) Act 1987

(c) in paragraph 11 (miscellaneous), after sub-paragraph (c), insert the following sub-paragraph:—

“(d) To making a report under £7.05”.
section 39(3) of the Debtors
(Scotland) Act 1987

(3) In Part II of the Schedule (Summary Cause Decrees) —

(a) in paragraph 3 (poindings) after sub-paragraph (f) insert the following sub-paragraphs:—

“(g) To serving a notice under £2.80
section 18(1) of the Debtors
(Scotland) Act 1987

- (h) To making a report under £7.05 section 21(4) of the Debtors (Scotland) Act 1987
- (i) To granting a receipt under £3.55 section 21(5) of the Debtors (Scotland) Act 1987
- (j) To making a report under £3.55 section 22(1) of the Debtors (Scotland) Act 1987
- (k) To granting a receipt under £3.55 section 41(4) of the Debtors (Scotland) Act 1987
- (l) To making a report under £7.05"; section 41(5)(b) of the Debtors (Scotland) Act 1987

(b) in paragraph 6 (sales), after sub-paragraph (h) insert the following sub-paragraphs:—

- “(i) To applying for a warrant of sale £3.55 under section 30(1) of the Debtors (Scotland) Act 1987
- (j) To serving a copy application for £2.80 a warrant of sale under section 30(3) of the Debtors (Scotland) Act 1987 - each debtor
- (k) To granting a receipt under £3.55 section 33(3) of the Debtors (Scotland) Act 1987
- (l) To making a report under £7.05 section 33(5)(b) of the Debtors (Scotland) Act 1987
- (m) To arranging warrant sale £4.60 under a warrant of sale obtained under section 31(2)(a) of the Debtors (Scotland) Act 1987
- (n) To intimating the date arranged £2.80 for a warrant sale under section 34(1) (a) of the Debtors (Scotland) Act 1987—each debtor or possessor
- (o) To serving a copy warrant of sale £2.80 under section 34(1)(b) of the Debtors (Scotland) Act 1987—each debtor or possessor
- (p) To giving public notice of £2.25 warrant sale under section 34(4) of the Debtors (Scotland) Act 1987

(q) To arranging locksmith and tradesman to be in attendance by virtue of the power under section 31(2)(c) of the Debtors (Scotland) Act 1987 £2.25

(r) To removing articles to place of warrant sale £11.55

To reserving time therefor £4.60

To arranging tradesmen to be in attendance therefor £2.25

Porterage and transport fees in addition

(s) To attending and conducting a warrant sale under the Debtors (Scotland) Act 1987 when appraised value of poinded effects do not exceed £50 £8.50

Each additional £25 or part thereof £2.75

(t) To attending and supervising a warrant sale £11.55

(u) To returning articles where sale cancelled under section 36(1) of the Debtors (Scotland) Act 1987 £11.55

To reserving time therefor £4.60

To arranging tradesmen to be in attendance therefor £2.25

Porterage and transport fees in addition

(v) To making a report under section 36(2) of the Debtors (Scotland) Act 1987 £7.05

(w) To making a report of sale under section 39(1) of the Debtors (Scotland) Act 1987 £7.05”;

(c) in paragraph 10 (miscellaneous), after sub-paragraph (c), insert the following sub-paragraph:—

“(d) To making a report under section 39(3) of the Debtors (Scotland) Act 1987 £7.05”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Edinburgh

9th December 1988

Emslie
Lord President, IPD

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EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends the Act of Sederunt (Fees of Sheriff Officers) 1978 to make provision for fees in respect of work under the Debtors (Scotland) Act 1987.