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STATUTORY INSTRUMENTS

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**1991 No. 658 (S. 68)**

**LANDS TRIBUNAL**

The Lands Tribunal for Scotland  
(Amendment) (Fees) Rules 1991

*Made* - - - - *11th March 1991*

*Coming into force* - - *8th April 1991*

The Lord Advocate, in exercise of the powers conferred by section 3 of the Lands Tribunal Act 1949<sup>(1)</sup> and now vested in him<sup>(2)</sup> and of all other powers enabling him in that behalf, and with the approval of the Treasury, hereby makes the following Rules:

1. These Rules may be cited as the Lands Tribunal for Scotland (Amendment) (Fees) Rules 1991 and shall come into force on 8th April 1991.
2. For the Table of Fees contained in Schedule 2 to the Lands Tribunal for Scotland Rules 1971<sup>(3)</sup>, there shall be substituted the Table of Fees set out in the Schedule to these Rules.
3. The Lands Tribunal for Scotland (Amendment) (Fees) Rules 1990<sup>(4)</sup> are hereby revoked.

Lord Advocate's Chambers  
7th March 1991

*Fraser of Carmyllie*  
Lord Advocate

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(1) 1949 c. 42; section 3 was amended by the Conveyancing and Feudal Reform (Scotland) Act 1970 (c. 35), section 50(2) and by S.I. 1972/2002.  
(2) S.I. 1972/2002.  
(3) S.I. 1971/218; relevant amending instrument is S.I. 1990/477.  
(4) S.I. 1990/477.

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**Status:** This is the original version (as it was originally made).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

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We approve,

11th March 1991

*I. C. Patnick*  
*Nicholas Baker*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## SCHEDULE

Rule 2

## FEES

Item	Fee payable	Fee formerly payable <sup>(5)</sup>
<b>Applications etc.</b>	£55.00	£50.00
1. On an application under section 1 or 4 of the Conveyancing and Feudal Reform (Scotland) Act 1970 <sup>(6)</sup>		
2. On an application under Part III of these Rules or where the Tribunal is acting under a reference by consent	£50.00	£40.00
3. On an appeal under section 1(3A) <sup>(7)</sup> or (3BA) <sup>(8)</sup> of the Lands Tribunal Act 1949	£50.00	—
4. On any other application (not being an appeal under Part IV or Part VA or a reference under Part V of these Rules)	£35.00	£30.00
<b>Hearing Fees, etc.</b>	£110.00 for each day on which the Tribunal sits	£100.00
(a) (a) On the hearing of an application under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970		
(b) (b) On the making of an order under:	£55.00	£50.00
(i) section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970, or		
(ii) section 4 of that Act	£55.00	£50.00
6. On the hearing of an application under Part III of these Rules or in relation to any dispute relating to the assessment of betterment levy referred to the Tribunal	£40.00 in respect of every £1,000.00 or part of £1,000.00 of such lump sum but not less than £110.00 for each day on which the Tribunal sits and	£40.00 in respect of every £1,000.00 or part of £1,000.00 of such lump sum but not less than £100.00 for each day on which the Tribunal sits

(5) This column shows the fees which were payable under S.I. 1971/218 as amended by S.I. 1990/477 before the coming into force of the Lands Tribunal for Scotland (Amendment) (Fees) Rules 1991 (S.I. 1991/658) on 8th April 1991.

(6) 1970 c. 35.

(7) Section 1(3A) was inserted by the Rating and Valuation (Amendment) (Scotland) Act 1984 (c. 31), section 12(1).

(8) Section 1(3BA) was inserted by the Local Government and Housing Act 1989 (c. 42), Schedule 6, paragraph 1.

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Item	Fee payable	Fee formerly payable <sup>(5)</sup>
under section 47 of the Land Commission Act 1967 <sup>(9)</sup> or where the Tribunal is acting under a reference by consent—	not exceeding in any case £4,000.00	and not exceeding in any case £4,000.00
(a) Where the amount is determined in terms of a lump sum—		
(b) (b) Where the amount is determined in terms of rent or other annual payment—	£40.00 in respect of every £50.00 or part of £50.00 of such rent or other annual payment but not less than £110.00 for each day on which the Tribunal sits and not exceeding in any case £4,000.00	£40.00 in respect of every £50.00 or part of £50.00 of such rent or other annual payment but not less than £100.000 for each day on which the Tribunal sits and not exceeding in any case £4,000.00
(c) (c) Where there is a settlement as to amount, for each day on which the Tribunal sits	£110.00	£100.00
7. On the hearing of any other appeal or reference including the hearing of preliminary pleas-in-law or legal debates in which no fee is payable by reference to an amount determined	£110.00 for each day on which the Tribunal sits	£100.00 for each day on which the Tribunal sits
<b>Miscellaneous fees</b>	£6.00	£5.00
8. On supplying and certifying a copy of an order or determination of the Tribunal (a charge for each sheet of the copy to be paid in addition under paragraph 9 below)		
9. For each sheet of a copy of all or part of any document	£1.10	£1.10
10. On a case for the decision of the Court of Session or the Lands Valuation Appeal Court (in respect of references under Part VC of these Rules) - an application for appeal by way of stated case (to	£45.00	£40.00

(5) This column shows the fees which were payable under S.I. 1971/218 as amended by S.I. 1990/477 before the coming into force of the Lands Tribunal for Scotland (Amendment) (Fees) Rules 1991 (S.I. 1991/658) on 8th April 1991.

(9) 1967 c. 1.

Item	Fee payable	Fee formerly payable <sup>(5)</sup>
include drafting of case and any necessary copies)		
<b>11.</b> On the placing of an advertisement under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970 (Note advertisements are invariably required in applications involving (a) missing superiors, (b) alcohol and (c) major developments which may have widespread implications).	100 per cent of the cost of the advertisement in an appropriate newspaper (charge is restricted to the cost of one advertisement irrespective of the number of advertisements placed)	100 per cent of the cost of the advertisement in an appropriate newspaper (charge is restricted to the cost of one advertisement irrespective of the number of advertisements placed)
<b>12.</b> On an application for the cancellation of a hearing.	£50.00	£20.00
<b>13.</b> On an application during the course of proceedings which is not specifically referred to in the above table of fees (eg. an application for (i) an extension to the period in which answers or adjustments are required to be lodged, or (ii) the continuation or sisting of an application).	£25.00	£20.00

### EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Lands Tribunal for Scotland Rules 1971 for the purpose of increasing the fees payable to the Tribunal. They also introduce a new fee at paragraph 3 of the Table and provide at paragraph 12 of the Table a separate fee payable for the cancellation of a hearing (previously payable under what is now paragraph 13).

<sup>(5)</sup> This column shows the fees which were payable under S.I. 1971/218 as amended by S.I. 1990/477 before the coming into force of the Lands Tribunal for Scotland (Amendment) (Fees) Rules 1991 (S.I. 1991/658) on 8th April 1991.