
STATUTORY INSTRUMENTS

1992 No. 87 (S.7)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Fees of Messengers-at-Arms) 1992

Made - - - - *16th January 1992*

Coming into force - - *17th February 1992*

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 6 of the Execution of Diligence (Scotland) Act 1926(1), section 5 of the Court of Session Act 1988(2) and of all other powers enabling them in that behalf, do hereby, with the consent of the Lord Lyon King of Arms, enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Messengers-at-Arms) 1992 and shall come into force on 17th February 1992.

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

Amendment of fees

2.—(1) Subject to this rule and the following rules, for the Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Messengers-at-Arms) 1990(3), substitute the Table of Fees in the Schedule to this Act of Sederunt.

(2) The Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Messengers-at-Arms) 1990(3) as substituted by paragraph (1) above shall apply to work done on or after the date on which this Act of Sederunt comes into force.

(3) The Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Messengers-at-Arms) 1990(3) having effect before the substitution under paragraph (1) above shall continue to have effect in respect of work done before the date on which this Act of Sederunt comes into force.

(1) 1926 c. 16.
(2) 1988 c. 36.
(3) S.I. 1990/379, amended by S.I. 1991/291.
(3) S.I. 1990/379, amended by S.I. 1991/291.
(3) S.I. 1990/379, amended by S.I. 1991/291.

Status: This is the original version (as it was originally made).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

Edinburgh,
16th January 1992

J.A.D. Hope
Lord President, IPD

SCHEDULE

Paragraph 2(1)

TABLE OF FEES

Item	Band 1	Band 2	Band 3
Service or intimation of a document	29.45	49.95	63.10
(a) (a) Service			
(i) each person at a different address			
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987	9.80	9.80	9.80
(b) (b) Postal service	14.75	34.75	14.75
(c) (c) Postal diligence	22.10	22.10	22.10
<i>Inhibitions</i>			
2			
(a) (h) inhibition only			
(i) each person at a different address	30.95	49.95	63.05
(ii) each additional person at the same address	16.05	16.05	16.05
(b) (h) inhibition and service			
(i) each person at a different address	40.75	59.75	73.10
(ii) each additional person at the same address	25.90	25.90	25.90
(c) (a) inhibition, service and interdict			

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

Item	Band 1	Band 2	Band 3
(i) each person at a different address	99.00	99.00	99.00
(ii) each additional person at the same address	42.00	42.00	42.00

Interdicts

3

(a) (a)Interdict only			
(i) each person at a different address	73.10	23.10	73.10
(ii) each additional person at the same address	16.05	16.05	16.05
(b) (b)Interdict and service			
(i) each person at a different address	82.95	82.95	82.95
(ii) each additional person at the same address	25.90	25.90	25.90
(c) (c)Interdict, service and inhibition			
(i) each person at a different address	99.00	99.00	99.00
(ii) each additional person at the same address	42.00	42.00	42.00

Poidings

4

(a) (a)Serving notice on entry	5.50	5.50	5.50
(b) (b)Arranging poiding and endeavouring but being unable to execute same for whatever reason	41.40	41.40	41.40

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

Item	Band 1	Band 2	Band 3
(c) (A) Arranging and executing poinding where appraised value is—			
(i) £340 or under	48.45	48.45	48.45
(ii) Over £340 and up to £1,370	75.05	75.05	75.05
(iii) Over £1,370 and up to £13,795 —10% of the appraised value only			
(iv) Over £13,795 and up to £68,970— 10% of the first £13,795, 5% thereafter up to £68,970 of the appraised value			
(v) Over £68,970 —10% of the first £13,795, 5% thereafter up to £68,970 and 1% of the appraised value £68,970			
(d) (B) Reporting poinding	4.65	4.65	4.65

Poindings of motor vehicles, heavy plant or machinery

5

(a) (A) Arranging and executing poinding where value is—			
(i) £340 or under	48.45	48.45	48.45
(ii) Over £340 and up to £1,515	75.05	75.05	75.05

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

Item	Band 1	Band 2	Band 3
(iii) Over £1,515 and up to £68,970—5% of the appraised value only			
(iv) Over £68,970—5% of the first £68,970 and 1% thereafter of the appraised value			
(b) (b) Reporting and pointing	4.65	4.65	4.65
<i>Sequestrations for rent, pointing of the ground</i>			
6			
(a) (a) Arranging for the sequestration or pointing of the ground and endeavouring but being unable to execute same for whatever reason	39.50	39.50	39.50
(b) (b) Arranging and effecting sequestration of pointing of the ground	73.10	73.10	73.10
<i>Sales</i>			
7			
(a) (i) Application for warrant of sale or variation of warrant of sale	9.20	9.20	9.20
(ii) Intimating application as			

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

Item	Band 1	Band 2	Band 3
in item 1(a) and (b) above, as the case may be			
(b) (i) Arranging warrant sale, preparing advertisement and giving public notice	11.90	11.90	11.90
(ii) Serving copy of warrant of sale and intimating the place and date of sale if necessary the date of removal of pointed effects as in item 1(a) or (b) above, as the case may be			
(c) (A) Attending warrant sale alone conducted by auctioneer	20.80	20.80	20.80
(d) (i) Attending warrant sale with witness and being unable to execute same for whatever reason	39.50	39.50	39.50
(ii) Conducting warrant sale with witness where the appraised value is—	46.55	46.55	46.55

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

Item	Band 1	Band 2	Band 3
£340 or under			
Over £340	73.10	73.10	73.10
<i>Ejections</i>			
8			
(a) (a) Arranging ejection	39.50	39.50	39.50
(b) (b) Arranging and executing ejection	61.45	61.45	61.45
<i>Taking possession of effects</i>			
9			
(a) (a) Arranging possession	39.50	39.50	39.50
(b) (b) Arranging and effecting possession	73.10	73.10	73.10
<i>Apprehensions</i>			
10			
(a) (a) Arranging apprehension	39.50	39.50	39.50
(b) (b) Arranging and apprehending	73.10	73.10	73.10
<i>Taking possession of children</i>			
11			
(a) (a) Arranging to take possession	39.50	39.50	39.50
(b) (b) Taking possession of each child	73.10	73.10	73.10
<i>Arresting vessels, aircraft and cargo</i>			
12			
(a) (a) Arranging to arrest	39.50	39.50	39.50

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

Item	Band 1	Band 2	Band 3
(b) (b) Arranging and effecting arrestment	120.85	120.85	120.85

Miscellaneous

13

(a) (a) Making any report or application under the Act of 1987 with the exception of reporting a poinding	9.15	9.15	9.15
(b) (b) Granting any receipt required to be issued under the Act of 1987	4.65	4.65	4.65
(c) (c) Arranging locksmith or tradesman to be in attendance	2.95	2.95	2.95
(d) (d) Granting certificate of dispenishment or providing any other certificate or report, registering any document or making any application to a court or the creditor	9.15	9.15	9.15
(e) (e) Executing warrant to open lockfast places	9.15	9.15	9.15
(f) (f) Time (i) with witness — £14.65			

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

Item	Band 1	Band 2	Band 3
	per unit		
(ii) without witness	—		
	£10.95		
	per unit		
(g) Photocopies			
(i) first sheet of document	—		
	£0.95		
(ii) subsequent sheets	—		
	£0.50		

EXPLANATORY NOTE

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

This Act of Sederunt amends the Act of Sederunt (Fees of Messengers-at-Arms 1990 by increasing the fees payable to Messengers-at-Arms by about 6%. The last increase was in the Act of Sederunt (Fees of Messengers-at-Arms) 1991 (S.I. [1991/291](#)). It also amends the entry in the Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Messengers-at-Arms) 1990 (S.I. [1990/379](#)) relating to photocopies.