
STATUTORY INSTRUMENTS

1994 No. 3267 (S.187)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Fees of Sheriff Officers) (No.2) 1994

Made - - - - *16th December 1994*
Laid before Parliament *20th December 1994*
Coming into force - - *9th January 1995*

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⁾, section 6 of the Execution of Diligence (Scotland) Act 1926⁽²⁾ 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) 1994 and shall come into force on 9th January 1995.

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

Amendment of fees

2.—(1) Subject to the provisions of the following sub-paragraphs, for the Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) 1994⁽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 Sheriff Officers) 1994 as substituted by sub-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 Sheriff Officers) 1994 having effect before the substitution under sub-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) 1907 c. 51; section 40 was amended by section 1(3) of the Secretaries of State Act 1926 (c. 18), the Schedule to the Administration of Justice (Scotland) Act 1933 (c. 41) and by paragraph 7 of Schedule 1 to and Schedule 2 to the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12).

(2) 1926 c. 16.

(3) S.I. 1994/392.

Status: This is the original version (as it was originally made).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 December 1994

J.A.D. Hope
Lord President, I.P.D.

SCHEDULE

Paragraph 2(1)

TABLE OF FEES

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
1. Service or intimation of a document	£17.90	£27.60	£35.70	£29.30	£43.00	£56.00
(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	£6.00	£6.00	£6.00	£9.80	£9.80	£9.80
(b) Postal service	£8.65	£8.65	£8.65	£14.40	£14.40	£14.40
(c) Postal diligence	£13.20	£13.20	£13.20	£21.75	£21.75	£21.75
2. Interdicts				£80.45	£80.45	£80.45
(a) Interdict only						
(i) each person at a different address						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(ii) each additional person at the same address				£17.65	£17.65	£17.65
Infract(b) and service				£90.30	£90.30	£90.30
(i) each person at a different address						
(ii) each additional person at the same address				£27.50	£27.50	£27.50
3. Pounding	£3.95	£3.95	£3.95	£6.05	£6.05	£6.05
(a) Serving notice of entry						
Arranging (b) pounding and endeavouring but being unable to execute same for whatever reason	£31.10	£31.10	£31.10	£45.60	£45.60	£45.60
Arranging (c) and executing pounding where appraised value is—	£53.35	£53.35	£53.35	£53.35	£53.35	£53.35

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(i) £375 or under						
(ii) Over £375 and up to £1,508	£82.60	£82.60	£82.60	£82.60	£82.60	£82.60
(iii) Over £1,508 and up to £15,184 — 10% of the appraised value only						
(iv) Over £15,184 and up to £75,913 — 10% of the first £15,184, 5% thereafter up to £75,913 of the appraised value						
(v) Over £75,913 — 10% of the first £15,184, 5% thereafter up to £75,913 and 1%						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
of the appraised value over £75,913						
Reporting (a) Pounding	£5.15	£5.15	£5.15	£5.15	£5.15	£5.15
4. Pounding of motor vehicles, heavy plant or machinery	£53.35	£53.35	£53.35	£53.35	£53.35	£53.35
(a) Arranging and executing pounding where appraised value is—						
(i) £375 or under						
(ii) Over £375 and up to £1,668	£82.60	£82.60	£82.60	£82.60	£82.60	£82.60
(iii) Over £1,668 and up to £75,913—5% of the appraised value only						
(iv) Over £75,913—5% of the first £75,913 and 1% thereafter						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
of the appraised value						
Reporting (15.15 poiding	£5.15	£5.15	£5.15	£5.15	£5.15	£5.15
5. Sequestration for rent, poiding of ground	£29.00	£29.00	£29.00	£43.50	£43.50	£43.50
(a) Arranging for the sequestration or poiding of the ground and endeavouring but being unable to execute same for whatever reason						
Arranging (15.120 and effecting sequestration where the appraised value is—	£51.20	£51.20	£51.20			
(i) £375 or under						
(ii) Over £375 and up to £1,508	£80.45	£80.45	£80.45			

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(iii) Over £1,508 —as 3(c) (iii) above						
Arranging (c) and effecting ordinary sequestration or pounding of the ground				£80.45	£80.45	£80.45
Service (d) — as in item 1(a) or (b) above, as the case may be						
6. Sales	£8.35	£8.35	£8.35	£8.35	£8.35	£8.35
(a) (i) Application for warrant of sale or variation of warrant of sale						
(ii) Intimating application — as in item 1(a)						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
or (b) above, as the case may be						
(b) (i) Serving warrant sale, preparing advertisement and giving public notice	£13.15	£13.15	£13.15	£13.15	£13.15	£13.15
(ii) Serving copy of warrant of sale and intimating the place and date of sale and if necessary the date of removal of pointed effects, as in item 1(a) or (b) above, as the case may be						
Officer attending warrant sale conducted	£22.90	£38.75	£49.00	£22.90	£38.75	£49.00

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	by auctioneer					
(d)	(i) Officer and witness attending warrant sale and being unable to execute same for whatever reason	£29.00	£29.00	£43.50	£43.50	£43.50
(ii)	Officer and witness conducting sale where the appraised value is £375 or under	£51.20	£51.20	£51.20	£51.20	£51.20
(iii)	Over £375	£80.45	£80.45	£80.45	£80.45	£80.45
7. Ejection		£29.00	£29.00	£43.50	£43.50	£43.50
(a)	Arranging ejection					
(b)	Arranging and executing ejection	£59.55	£59.55	£67.55	£67.55	£67.55
8. Taking possession of effects		£29.00	£29.00	£43.50	£43.50	£43.50
(a)	Arranging possession					
(b)	Arranging and	£59.55	£59.55	£80.45	£80.45	£80.45

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	effecting possession					
9. Apprehensions				£43.50	£43.50	£43.50
(a) Arranging apprehension						
(b) Arranging and apprehending				£80.45	£80.45	£80.45
10. Taking possession of children				£43.50	£43.50	£43.50
(a) Arranging to take possession						
(b) Arranging and taking possession of each child				£80.45	£80.45	£80.45
11. Arresting vessels, aircraft and cargo	£29.00	£29.00	£29.00	£43.50	£43.50	£43.50
(a) Arranging to arrest						
(b) Arranging and effecting arrestment	£73.15	£73.15	£73.15	£133.00	£133.00	£133.00
12. Miscellaneous	£10.05	£10.05	£10.05	£10.05	£10.05	£10.05
(a) To making any report or application under the Act of 1987 with						

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(b)	£5.15	£5.15	£5.15	£5.15	£5.15	£5.15
(c)	£3.25	£3.25	£3.25	£3.25	£3.25	£3.25
(d)	£10.05	£10.05	£10.05	£10.05	£10.05	£10.05

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Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
court or the creditor (e)	£10.05	£10.05	£10.05	£10.05	£10.05	£10.05
Executing warrant to open lockfast places (f)						
(f) Time (i) with witness — £16.10 per unit (ii) without witness — £12.05 per unit (g) Photocopies (i) first sheet of document — £1.10 (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 Sheriff Officers) 1994 (S.I. 1994/392) by increasing the fees payable to Sheriff Officers by about 3%.

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