
STATUTORY INSTRUMENTS

1995 No. 3094 (S.225)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Fees of Messengers-at-Arms) 1995

Made - - - - *28th November 1995*

Coming into force - - *1st January 1996*

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 concurrence 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) 1995 and shall come into force on 1st January 1996.

(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 Messengers-at-Arms) 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 Messengers-at-Arms) 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 Messengers-at-Arms) 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) 1926 c. 16.

(2) 1988 c. 36.

(3) S.I. 1994/391, as amended by S.I. 1994/3268.

Status: This is the original version (as it was originally made).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

Edinburgh,
28th November 1995

Hope of Craighead
Lord President, I.P.D.

SCHEDULE

Paragraph 2(1)

TABLE OF FEES

Item	Band 1	Band 2	Band 3
1. Service of a document	£33.50	£56.80	£71.70
(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	£11.15	£11.15	£11.15
(b) (b) Postal service	£16.40	£16.40	£16.40
(c) (c) Postal diligence	£24.80	£24.80	£24.80
2. Inhibitions	£35.25	£56.80	£71.70
(a) Inhibition only			
(i) each person at a different address			
(ii) each additional person at the same address	£18.25	£18.25	£18.25
(b) (b) Inhibition and service	£46.35	£67.90	£83.10
(i) each person at a different address			
(ii) each additional person at the same address	£29.50	£29.50	£29.50

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Item	Band 1	Band 2	Band 3
(c) (a) Inhibition, service and interdict	£112.60	£112.60	£112.60
(i) each person at a different address			
(ii) each additional person at the same address	£47.80	£47.80	£47.80
3. Interdicts	£83.10	£83.10	£83.10
(a) Interdict only			
(i) each person at a different address			
(ii) each additional person at the same address	£18.25	£18.25	£18.25
(b) (b) Interdict and service	£94.25	£94.25	£94.25
(i) each person at a different address			
(ii) each additional person at the same address	£29.50	£29.50	£29.50
(c) (d) Interdict, service and inhibition	£112.60	£112.60	£112.60
(i) each person at a different address			
(ii) each additional person at the same address	£47.80	£47.80	£47.80
4. Poidings	£6.25	£6.25	£6.25

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Item	Band 1	Band 2	Band 3
(a) Serving notice of entry			
(b) (b) Arranging pointing and endeavouring but being unable to execute same for whatever reason	£47.10	£47.10	£47.10
(c) (c) Arranging and executing pointing where appraised value is—	£55.10	£55.10	£55.10
(i) £387 or under			
(ii) Over £387 and up to £1,558	£85.35	£85.35	£85.35
(iii) Over £1,558 and up to £15,685 — 10% of the appraised value only			
(iv) Over £15,685 and up to £78,418— 10% of the first £15,685, 5% thereafter up to £78,418 of the appraised value			
(v) Over £78,418 — 10% of the first £15,685, 5% thereafter up to £78,418 and 1% of the appraised value over £78,418			
(d) (d) Reporting pointing	£5.30	£5.30	£5.30

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Item	Band 1	Band 2	Band 3
5. POUNDINGS of motor vehicles, heavy plant or machinery	£55.10	£55.10	£55.10
(a) Arranging and executing pouncing where appraised value is—			
(i) £387 or under			
(ii) Over £387 and up to £1,723	£85.35	£85.35	£85.35
			(iii) Over £1,723 and up to £78,418 — 5% of the appraised value only
			(iv) Over £78,418— 5% of the first £78,418 and 1% thereafter of the appraised value
(b) (b) Reporting pouncing	£5.30	£5.30	£5.30
6. SEQUESTRATIONS for rent, pouncing of the ground	£44.95	£44.95	£44.95
(a) Arranging for the sequestration or pouncing of the ground and endeavouring but being unable to execute same for whatever reason			
(b) (b) Arranging and effecting sequestration or pouncing of the ground	£83.10	£83.10	£83.10

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Item	Band 1	Band 2	Band 3
7. Sales	£10.45	£10.45	£10.45
(a) (i) Application for warrant of sale or variation of a warrant of sale			
(ii) Intimating application— as in item 1(a) or (b) above, as the case may be			
(b) (i) Arranging warrant sale, preparing advertisement and giving public notice	£13.60	£13.60	£13.60
(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			
(c) (A) Attending warrant sale alone conducted by auctioneer	£23.65	£40.05	£50.60
(d) (i) Attending warrant sale with witness and being unable	£44.95	£44.95	£44.95

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Item	Band 1	Band 2	Band 3
to execute same for whatever reason			
(ii) Conducting warrant sale with witness where the appraised value is—			
£387 or under	£52.95	£52.95	£52.95
Over £387	£83.10	£83.10	£83.10
8. Ejections	£44.95	£44.95	£44.95
(a) Arranging ejection			
(b) (a) Arranging and executing ejection	£69.85	£69.85	£69.85
9. Taking possession of effects			
(a) (a) Arranging possession	£44.95	£44.95	£44.95
(b) (b) Arranging and effecting possession	£83.10	£83.10	£83.10
10. Apprehensions	£44.95	£44.95	£44.95
(a) Arranging apprehension			
(b) (b) Arranging and apprehending	£83.10	£83.10	£83.10
11. Taking possession of children	£44.95	£44.95	£44.95
(a) Arranging to take possession			
(b) (b) Taking possession of each child	£83.10	£83.10	£83.10
12. Arresting vessels, aircraft and cargo	£44.95	£44.95	£44.95

Item	Band 1	Band 2	Band 3
(a) Arranging to arrest			
(b) (a) Arranging and effecting arrestment	£137.40	£137.40	£137.40
13. Miscellaneous	£10.40	£10.40	£10.40
(a) Making any report or application under the Act of 1987 with the exception of reporting a poinding			
(b) (b) Granting any receipt required to be issued under the Act of 1987	£5.30	£5.30	£5.30
(c) (a) Arranging locksmith or tradesman to be in attendance	£3.35	£3.35	£3.35
(d) (c) Granting certificate of displenishment or providing any other certificate or report, registering any document or making any application to a court or the creditor	£10.40	£10.40	£10.40
(e) (e) Executing warrant to open lockfast places	£10.40	£10.40	£10.40
(f) (f) Time			
(i) with witness			
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Item	Band 1	Band 2	Band 3
	£16.65 per unit		
(ii) without witness —	£12.45 per unit		
(g) Photocopies			
(i) first page of document —	£1.15		
(ii) subsequent pages — per page—	£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) 1994 (S.I. 1994/391) by increasing the fees payable to Messengers-at-Arms by about 3.3%. The last increase was in the Act of Sederunt (Fees of Messengers-at-Arms) (No.2) 1994 (S.I. 1994/3268).