
STATUTORY INSTRUMENTS

1998 No. 2669 (S.133)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Fees of Sheriff Officers) 1998

Made - - - - *22nd October 1998*
Laid before Parliament *30th October 1998*
Coming into force - - *1st January 1999*

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) 1998 and shall come into force on 1st January 1999.

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

Amendment of fees

2.—(1) Subject to sub-paragraph (2) below, the Table of Fees in the Schedule to this Act of Sederunt shall be substituted for the Table in Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) 1994(3) and shall apply to work carried out by a sheriff officer on or after the date on which this Act of Sederunt comes into force.

(2) Sub-paragraph (i) above does not affect the fees payable as respects any work so carried out before the date mentioned in that sub-paragraph.

Edinburgh
22nd October 1998

Rodger of Earlsferry
Lord President I.P.D.

(1) 1907 c. 51; section 40 as amended by section 1(3) of the Secretaries of State Act 1926 (c. 18), by 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, as amended by S.I. 1994/3267, S.I. 1995/3095, S.I. 1996/2858 and S.I. 1997/2824.

Status: This is the original version (as it was originally made).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

SCHEDULE

Para.2(1).

TABLE OF FEES

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
Service or intimation of a document	£20.55	£31.70	£41.00	£33.60	£49.40	£64.35
(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	£6.90	£6.90	£6.90	£11.25	£11.25	£11.25
(b) Postal service	£9.95	£9.95	£9.95	£16.55	£16.55	£16.55
(c) Postal diligence	£15.15	£15.15	£15.15	£24.95	£24.95	£24.95
Interdicts				£92.40	£92.40	£92.40
(a) Interdict only						
(i) each person at a different address						

Status: This is the original version (as it was originally made).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

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				£20.30	£20.30	£20.30
Interdict (b) and service				£103.75	£103.75	£103.75
(i) each person at a different address						
(ii) each additional person at the same address				£31.60	£31.60	£31.60
Poundings	£4.55	£4.55	£4.55	£6.95	£6.95	£6.95
Seizing (a) notice of entry						
Arranging (b) pouding and endeavouring, but being unable, to execute it for whatever reason	£35.75	£35.75	£35.75	£52.35	£52.35	£52.35
Arranging (c) and executing pouding where appraised value is—	£61.25	£61.25	£61.25	£61.25	£61.25	£61.25

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

<i>Item</i>	<i>Summary Cause</i>			<i>Ordinary Cause</i>		
	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
(i) £431 or under						
(ii) over £431 and up to £1,732	£94.90	£94.90	£94.90	£94.90	£94.90	£94.90
(iii) Over £1,732 and up to £17,441 – 10% of the appraised value						
(iv) Over £17,441 and up to £87,194 – 10% of the first £17,441, 5% thereafter						
(v) Over £87,194 – 10% of the first £17,441, 5% thereafter up to £87,194 and 1% thereafter						
Reporting (i) pending	£5.90	£5.90	£5.90	£5.90	£5.90	£5.90
<i>Poundings of motor vehicles, heavy</i>	£61.25	£61.25	£61.25	£61.25	£61.25	£61.25

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

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
plant or machinery						
Arranging (a) and executing pointing where appraised value is						
(i) £431 or under						
(ii) Over £431 and up to £1,916	£94.90	£94.90	£94.90	£94.90	£94.90	£94.90
(iii) Over £1,916 and up to £87,194 – 5% of the appraised value						
(iv) Over £87,194 – 5% of the first £87,194, and 1% thereafter						
Reporting (b) pointing	£5.90	£5.90	£5.90	£5.90	£5.90	£5.90
Sequestrations for rent, pointing of ground	£33.30	£33.30	£33.30	£49.95	£49.95	£49.95
Arranging (a) for the sequestration or						

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

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
the ground						
Service(d)						
–						
as in item 1(a) or (b) above, as the case may be						
Sales	£9.65	£9.65	£9.65	£9.65	£9.65	£9.65
(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) Issuing warrant sale, preparing advertisement and giving	£15.10	£15.10	£15.10	£15.10	£15.10	£15.10

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

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
	public notice					
(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) Officer attending warrant sale alone conducted by auctioneer	£26.30	£44.55	£56.25	£26.30	£44.55	£56.25
(d) (i) Officer and witness attending warrant sale and being unable to	£33.30	£33.30	£33.30	£49.95	£49.95	£49.95

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

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(ii) Officer and witness conducting sale where the appraised value is £431 or under	£58.80	£58.80	£58.80	£58.80	£58.80	£58.80
(iii) And where it is over £431	£92.40	£92.40	£92.40	£92.40	£92.40	£92.40
<i>Ejections</i>	£33.30	£33.30	£33.30	£49.95	£49.95	£49.95
Arranging (a) ejection	£68.40	£68.40	£68.40	£77.60	£77.60	£77.60
Arranging (b) and executing ejection	£33.30	£33.30	£33.30	£49.95	£49.95	£49.95
8. Taking possession of effects						
(a) Arranging possession	£68.40	£68.40	£68.40	£92.40	£92.40	£92.40
Arranging (b) and effecting possession						
<i>Apprehensions</i>				£49.95	£49.95	£49.95
Arranging (a) apprehension						
Arranging (b) and apprehending				£92.40	£92.40	£92.40

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

<i>Item</i>	<i>Summary Cause</i>			<i>Ordinary Cause</i>		
	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>	<i>Band 1</i>	<i>Band 2</i>	<i>Band 3</i>
<i>Taking possession of children</i>				£49.95	£49.95	£49.95
Arranging (a) to take possession						
Arranging (b) and taking possession of each child				£92.40	£92.40	£92.40
<i>Arresting vessels, aircraft and cargo</i>	£33.30	£33.30	£33.30	£49.95	£49.95	£49.95
Arranging (a) to arrest						
Arranging (b) and effecting arrestment	£84.00	£84.00	£84.00	£152.75	£152.75	£152.75
<i>Miscellaneous</i>	£11.55	£11.55	£11.55	£11.55	£11.55	£11.55
Making (a) any report or application under the Act of 1987 with the exception of reporting a poinding						
Making (b) any receipt	£5.90	£5.90	£5.90	£5.90	£5.90	£5.90

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

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
required to be issued under the Act of 1987						
Arranging (d) for locksmith or tradesman to be in attendance	£3.75	£3.75	£3.75	£3.75	£3.75	£3.75
Granting (d) certificate of displenishment or providing any other certificate or report, registering any document or making any application to a court or the creditor	£11.55	£11.55	£11.55	£11.55	£11.55	£11.55
Executing (e) warrant to open lockfast places	£11.55	£11.55	£11.55	£11.55	£11.55	£11.55

(f) (f) Time

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

Item	Summary Cause			Ordinary Cause		
	Band 1	Band 2	Band 3	Band 1	Band 2	Band 3
(i) with witness						
–						
£18.55						
per unit						
(ii) without witness						
–						
£13.85						
per unit						
(g) (g) Photocopies						
(i) first page of document						
–						
£1.30						
(ii) subsequent pages						
–						
per page						
–						
£0.60.						

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 4.1%. The last increase was in the Act of Sederunt (Fees of Sheriff Officers) 1997 ([S.I. 1997/2824](#)).