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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 82**

**COURT OF SESSION**

**Act of Sederunt (Rules of the Court of Session  
Amendment No. 2) (Fees of Solicitors) 2009**

*Made*        -   -   -   -                      *3rd March 2009*

*Coming into force*        -   -                      *27th April 2009*

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 5 of the Court of Session Act 1988<sup>(1)</sup> 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 (Rules of the Court of Session Amendment No. 2) (Fees of Solicitors) 2009 and shall come into force on 27th April 2009.

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

**Amendment of table of fees**

**2.**—(1) In the provisions of the table of fees in rule 42.16 of the Rules of the Court of Session 1994<sup>(2)</sup> which are mentioned in column 1 of the Schedule to this Act of Sederunt, for the amounts specified in column 2 of that Schedule, substitute the amounts specified in column 3 of that Schedule.

(2) This paragraph shall not affect fees chargeable for work done, or outlays incurred, before 27th April 2009.

Edinburgh  
3rd March 2009

*A C HAMILTON*  
Lord President I.P.D.

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(1) [1988 c. 36](#). Section 5 was amended by section 2(3) of the Civil Evidence (Scotland) Act [1988 \(c. 32\)](#), by paragraph 45 of Schedule 4 to the Children (Scotland) Act [1995 \(c. 36\)](#) and by section 14(1) of the [Vulnerable Witnesses \(Scotland\) Act 2004 \(asp 3\)](#).

(2) The table of fees was last amended by [S.S.I. 2008/39](#).

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## SCHEDULE

Paragraph 2(1)

<i>(1)</i> <i>(provision)</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
Chapter I:		
1(a)	17.10	17.95
(b)	7.10	7.45
(c)	25.20	26.45
(d)	16.45	17.25
3	7.10	7.45
4(a)	17.10	17.95
(b)	17.10	17.95
(c)	17.10	17.95
5(a)	34.00	35.50
(b)	34.00	35.50
(c)	34.00	35.50
(e)(i)	17.10	17.95
(ii)	17.10	17.95
(iii)	7.10	7.45
6(a)	17.10	17.95
(b)	3.50	3.70
(c)	7.10	7.45
Chapter III Part I:		
1(a)	306.05	321.35
(b)	388.30	407.70
Chapter III Part II:		
1	429.70	451.20
2	245.80	258.10
3(a)	63.10	66.25
(b)	91.05	95.60
(c)	113.20	118.85
4(a)	110.55	116.10
(b)	34.00	35.50
(c)	18.90	19.85
5(a)	102.15	107.25
(b)	34.00	35.50

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(1) (provision)	(2) Old Fee £	(3) New Fee £
7	306.05	321.35
8	94.30	99.00
Chapter III Part III:		
Table A:		
1 (column 2)	675.15	708.90
(column 3)	771.05	809.60
2 (column 2)	480.10	504.10
(column 3)	582.85	612.00
3 (column 2)	147.30	154.65
(column 3)	216.35	227.15
4 (column 2)	1302.50	1367.65
(column 3)	1570.70	1649.25
Table B:		
1 (column 2)	555.50	583.30
(column 3)	651.35	683.90
2 (column 2)	267.20	280.55
(column 3)	339.40	356.35
3 (column 2)	147.30	154.65
(column 3)	216.35	227.15
4 (column 2)	969.90	1018.40
(column 3)	1206.80	1267.15
Table C:		
1	126.10	132.40
2	141.55	148.65
3	267.40	280.75
Chapter III Part IV:		
1(a)	636.85	668.70
(b)	882.30	926.40
2(a)	469.45	492.90
3(a)	71.50	75.10
4	72.90	76.55
Chapter III Part V:		
1(a)	651.30	683.85
(b)	70.25	73.75

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<i>(1)</i> <i>(provision)</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
(c)	137.00	143.85
1A	417.35	438.20
2(a)	692.50	727.15
(b)	428.40	449.80
(c)(i)	70.25	73.75
(ii)	37.00	38.85
(d)	205.50	215.80
(e)	305.05	320.30
2A (a)	135.85	142.65
(b)	73.95	77.65
(c)	73.95	77.65
3(a)	137.00	143.85
(b)	37.00	38.85
(c)	102.50	107.65
4(a)	130.20	136.70
(b)	37.00	38.85
(c)	18.55	19.50
(d)	130.20	136.70
(e)	37.00	38.85
(f)	18.55	19.50
5	68.90	72.35
6(a)	147.60	155.00
(b)	20.55	21.60
7(a)	137.05	143.90
(b)	66.55	69.90
(ba)	129.35	135.80
(bb)	66.55	69.90
(c)	37.00	38.85
(d)	54.85	57.60
(e)	37.00	38.85
8(a)	255.30	268.05
(b)	222.90	234.05
(c)	82.30	86.40
(d)	20.55	21.60

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<i>(1)</i> <i>(provision)</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
9(a)	305.05	320.30
(b)	137.00	143.85
(c)	37.00	38.85
10(a)	37.00	38.85
(b)	102.50	107.65
(c)	37.05	38.90
(d)	102.50	107.65
(e)	37.00	38.85
11	387.60	407.00
12(a)	102.50	107.65
(b)	37.00	38.85
(c)	150.65	158.20
(d)	69.20	72.65
(e)	350.95	368.50
(f)	195.25	205.00
13(a)	942.35	989.45
(b)	83.95	88.15
(c)	171.75	180.35
(d)	37.00	38.85
15(a)(i)	205.50	215.80
(ii)	137.00	143.85
(iii)	137.00	143.85
(b)	342.75	359.90
(c)	582.70	611.85
(d)	37.00	38.85
16	728.50	764.95
17	37.00	38.85
18 (a)	221.85	232.95
(b)	221.85	232.95
(c)	37.00	38.85
19	54.85	57.60
20(a)	277.70	291.60
(b)	83.95	88.15

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<i>(1)</i> <i>(provision)</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
1(a)	68.80	72.25
(b)	34.45	36.15
2	416.50	437.35
3(a)	650.00	682.50
(b)	91.30	95.85
(ba)	65.45	68.70
(c)	221.50	232.60
(d)	70.15	73.65
(e)	221.50	232.60
(f)	123.75	129.95
(g)	37.00	38.85
(h)	54.70	57.45
(i)	37.00	38.85
4(a)	691.05	725.60
(b)	427.55	448.95
(c)(i)	70.15	73.65
(ii)	37.00	38.85
(d)	205.05	215.30
(e)	304.50	319.75
4A(a)	135.85	142.65
(b)	73.95	77.65
(c)	73.95	77.65
5(a)	443.05	465.20
(b)	221.50	232.60
(c)	37.00	38.85
6(a)	129.95	136.45
(b)	37.00	38.85
7(a)	102.25	107.35
(b)	37.00	38.85
(c)	102.25	107.35
8(a)	147.15	154.50
(b)	20.55	21.60
9	386.70	406.05
10(a)	136.80	143.65

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<i>(1)</i> <i>(provision)</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
(b)	66.45	69.75
(c)	123.75	129.95
(ca)	66.55	69.90
(d)	37.00	38.85
(e)	54.70	57.45
(f)	37.00	38.85
11(a)	277.15	291.00
(b)	222.45	233.55
(c)	82.90	87.05
(d)	20.55	21.60
12(a)	304.50	319.75
(b)	136.80	143.65
(c)	37.00	38.85
13(a)	37.00	38.85
(b)	105.35	110.60
(c)	37.00	38.85
(d)	102.25	107.35
(e)	37.00	38.85
14(a)	102.25	107.35
(b)	37.00	38.85
(c)	150.45	157.95
(d)	69.10	72.55
(e)	350.10	367.60
(f)	194.85	204.60
16(a)	940.40	987.40
(b)	83.75	87.95
(c)	171.20	179.75
(d)	37.00	38.85
17(a)	70.15	73.65
(b)	369.20	387.65
(c)	37.00	38.85
(d)(i)	114.05	119.75
(ii)	228.00	239.40
(iii)	264.95	278.20

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<i>(1)</i> <i>(provision)</i>	<i>(2)</i> <i>Old Fee £</i>	<i>(3)</i> <i>New Fee £</i>
(iv)	342.05	359.15
18	295.50	310.30
19(a)(i)	205.15	215.40
(ii)	136.80	143.65
(iii)	136.80	143.65
(b)	342.05	359.15
(c)	581.35	610.40
(d)	37.00	38.85
20	37.00	38.85
21(a)	295.50	310.30
(b)	24.60	25.85
(c)	24.60	25.85
22	54.70	57.45
23(a)	277.15	291.00
(b)	83.45	87.60
Chapter III Part VI:		
1(a)	205.50	215.80
(b)	102.50	107.65
(c)	85.95	90.25
2(a)	248.35	260.75
(b)	123.10	129.25
(c)	83.95	88.15
3(a)	205.55	215.85
(b)	37.00	38.85
6	83.95	88.15

## EXPLANATORY NOTE

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

This Act of Sederunt amends Chapter 42 (taxation of accounts and fees of solicitors) of the Rules of the Court of Session 1994.



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Paragraph 2 amends the table of fees in rule 42.16 in respect of work carried out by solicitors in the Court of Session by increasing the hourly rate that is recoverable to £142 and increasing the remaining fees in the table of fees by 5%. The last increase in fees was made by the Act of Sederunt (Rules of the Court of Session Amendment) (Fees of Solicitors) 2008.

The Act of Sederunt does not apply as respects fees chargeable for work done, or outlays incurred, before it comes into force.