
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 431

Act of Sederunt (Fees of Messengers-at-Arms) (No. 2) 2011

Amendment of fees

2.—(1) Subject to subparagraph (6), Schedule 1 to the Act of Sederunt (Fees of Messengers-at-Arms) (No. 2) 2002⁽¹⁾ is amended in accordance with the following subparagraphs.

(2) For General Regulation 3 substitute—

“**3.** Fees in relation to service or intimation of a document, citation of a person or diligence which is executed in a remote rural area shall be surcharged by the levying of an additional fee of 30 per cent of the fee specified in the Table of Fees.”.

(3) After General Regulation 3 insert—

“**3A.** Where the value of an action is over £100,000 the fees specified in the Table of Fees at Item 1(a), 2, 3(b), 3(c) and 12 shall be surcharged by the levying of an additional fee of 0.01 percent of the value of the action.”.

(4) In General Regulation 15, after the definition of “postal service” insert—

““remote rural area” means a settlement with a population of less than 3,000 people, and with a drive time of over 30 minutes to a settlement with a population of 10,000 people or more⁽²⁾.”.

(5) For the Table of Fees substitute the Table of Fees in the Schedule to this Act of Sederunt.

(6) Subparagraphs (2) to (5) shall apply only to work carried out by a messenger-at-arms on or after 23rd January 2012 but shall not affect the fees payable as respects any work so carried out before that date.

⁽¹⁾ S.S.I. 2002/566, amended by S.S.I. 2003/536, 2004/515, 2005/582, 2006/540, 2007/532, 2008/430, 2009/383 and 2011/48.

⁽²⁾ The definition of “remote rural area” comes from the Scottish Government Urban/Rural Classification 2009-2010, published by the Office of the Chief Statistician, August 2010.