
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the fees payable in the Court of Session, to the Principal Clerk of Session, the Accountant of Court and the Auditor of the Court of Session, or any officer acting for one of those officers (as appropriate).

Article 3 and schedules 1 to 3 specify fee levels payable in the Court of Session in respect of certain matters.

- The fee levels for the period from 1 July 2022 until 31 March 2023 are given effect by the Table of Fees in schedule 1.
- The fee levels for the period from 1 April 2023 until 31 March 2024 are given effect by the Table of Fees in schedule 2.
- The fee levels from 1 April 2024 onwards are given effect by the Table of Fees in schedule 3.

Article 3(4) provides that fees are not to be payable by the Crown in the enforcement of the criminal law or in the exercise of powers or the performance of duties arising out of or relating to that enforcement.

Article 3(5) provides that the relevant office holders are not required to do any act in connection with the matter specified in relation to that fee without either prior payment of the fee or entering into an arrangement for payment of the fee.

Articles 4 and 5 exempt certain persons from payment of fees.

Article 6 provides for an exemption relating to applications for certain interdicts and orders, and appeals against decisions made in such applications.

Article 7 provides for exemptions for certain proceedings relating to the environment.

Article 8 exempts certain motions from fees, by reference to the Rules of the Court of Session 1994.

Article 9 provides for the calculation of certain fees payable.

Article 10 revokes the Court of Session etc. Fees Order 2018.

A Business and Regulatory Impact Assessment has been prepared for this Order and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Government Justice Directorate, St Andrews House, Edinburgh EH1 3DG.