

**1981 No. 42 (S.4)****REGISTERS AND RECORDS, SCOTLAND****Fees in the Department of the Registers of Scotland Order 1981**

*Made - - - - - 12th January 1981*

*Coming into operation*

*All provisions except  
Articles 2 and 3(2) and  
Part I of the Schedule 2nd February 1981*

*Articles 2 and 3(2) and  
Part I of the Schedule 6th April 1981*

The Secretary of State, in exercise of the powers conferred on him by section 25 of the Land Registers (Scotland) Act 1868(a) and of all other powers enabling him in that behalf and with the consent of the Treasury, hereby makes the following order—

1.—(1) This order may be cited as the Fees in the Department of the Registers of Scotland Order 1981.

(2) This order shall come into operation on 2 February 1981, except articles 2 and 3(2) of, and Part I of the Schedule to, this order which shall come into operation on 6 April 1981.

2. In Part I of the Schedule to this order—

- (a) “the Act” means the Land Registration (Scotland) Act 1979(b);
- (b) “dealing” means a transaction or event capable of affecting the title to a registered interest in land;
- (c) any expression which is also used in the Land Registration (Scotland) Act 1979 shall, unless the context otherwise requires, have the same meaning as it has in that Act; and
- (d) any reference to a numbered form is a reference to the form bearing that number in Schedule A to the Land Registration (Scotland) Rules 1980(c).

3.—(1) The fees payable in respect of the matters specified in the Schedule to this order, being matters relating to registration or recording in the registers under the management and control of the Keeper of the Registers of Scotland and to the provision by the Keeper of searches, reports, certificates or other

(a) 1868 c.64; section 25 was substituted by section 23 of the Land Registration (Scotland) Act 1979 (c.33).

(b) 1979 c.33.

(c) S.I. 1980/1413.

documents or copies of any document or of information from any such register, shall be the fees specified in relation to those matters in that Schedule,

(2) Where a deed is simultaneously recorded in the Register of Sasines and registered in the Land Register of Scotland established under section 1(1) of the Land Registration (Scotland) Act 1979, only the fee for registration in the Land Register of Scotland will be payable.

4. The Fees in the Department of the Registers of Scotland Order 1979(a) is hereby revoked.

5th January 1981.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

We Consent.

12th January 1981.

*Carol Mather,*  
*J. A. Douglas-Hamilton,*  
Two of the Lords Commissioners of  
Her Majesty's Treasury.

## SCHEDULE

### TABLE OF FEES IN THE DEPARTMENT OF THE REGISTERS OF SCOTLAND

#### PART I - LAND REGISTER OF SCOTLAND

##### 1. REGISTRATION FEES

##### A. *Interests in land other than heritable securities*

When application is made for

- (a) registration of an unregistered interest in land in pursuance of section 2(1) of the Act;
- (b) registration of the creation over a registered interest in land of a liferent or an incorporeal heritable right in pursuance of section 2(3) of the Act; or
- (c) registration of any transfer of a registered interest in land (not being a heritable security) in pursuance of section 2(4) of the Act,

the fee shall be calculated as follows:—

- (i) where the interest in land to which the registration relates has been created, granted or transferred for a consideration, on the amount of the consideration or the value of that interest, whichever is the greater, or
- (ii) in any other case, on the value of the interest in land to which the registration relates,

at the rate of £11.00 for every £5,000 or part of £5,000, plus £10.00, subject to a maximum of £560.00, as shown in the following Table.

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(a) S.I. 1979/1127.

TABLE

<i>Consideration or value</i>			<i>Fee</i>	<i>Consideration or value</i>			<i>Fee</i>
			£				£
does not exceed		5,000	21.00	does not exceed		135,000	307.00
" "	"	10,000	32.00	" "	"	140,000	318.00
" "	"	15,000	43.00	" "	"	145,000	329.00
" "	"	20,000	54.00	" "	"	150,000	340.00
" "	"	25,000	65.00	" "	"	155,000	351.00
" "	"	30,000	76.00	" "	"	160,000	362.00
" "	"	35,000	87.00	" "	"	165,000	373.00
" "	"	40,000	98.00	" "	"	170,000	384.00
" "	"	45,000	109.00	" "	"	175,000	395.00
" "	"	50,000	120.00	" "	"	180,000	406.00
" "	"	55,000	131.00	" "	"	185,000	417.00
" "	"	60,000	142.00	" "	"	190,000	428.00
" "	"	65,000	153.00	" "	"	195,000	439.00
" "	"	70,000	164.00	" "	"	200,000	450.00
" "	"	75,000	175.00	" "	"	205,000	461.00
" "	"	80,000	186.00	" "	"	210,000	472.00
" "	"	85,000	197.00	" "	"	215,000	483.00
" "	"	90,000	208.00	" "	"	220,000	494.00
" "	"	95,000	219.00	" "	"	225,000	505.00
" "	"	100,000	230.00	" "	"	230,000	516.00
" "	"	105,000	241.00	" "	"	235,000	527.00
" "	"	110,000	252.00	" "	"	240,000	538.00
" "	"	115,000	263.00	" "	"	245,000	549.00
" "	"	120,000	274.00	" "	"	250,000	560.00
" "	"	125,000	285.00	" "	"	exceeds 250,000	560.00
" "	"	130,000	296.00				

*Notes*

1. Where the consideration consists of a feu duty, rent, ground annual or other yearly or periodical payment, the amount of that consideration shall be the capitalised amount of the payment, calculated at 20 years' purchase.

2. Where an excambion is effected by more than one deed, a fee will be charged in respect of each deed on the value of the interest in land transferred thereby. Where an excambion is effected by one deed, the fee will be calculated on the total value of the interests in land transferred thereby.

*B. Heritable securities*

Where application is made for

- (a) registration of the creation over a registered interest in land of a heritable security in pursuance of section 2(3) of the Act; or
- (b) registration of the transfer, postponement, corroboration or extinction of, or other dealing with, a heritable security in pursuance of section 2(4) of the Act,

the fee shall be calculated as follows:—

- (i) on the amount of the heritable security or securities created, transferred, postponed, corroborated, discharged or otherwise dealt with; or
- (ii) where there is any combination of transfer, postponement, corroboration, discharge of and other dealing with a heritable security or securities, on the amount of the heritable security or securities affected by such combination,

at the rate of £11.00 for every £10,000 or part of £10,000, subject to a maximum of £275.00, as shown in the following Table.

<i>Amount</i>	<i>£</i>	<i>Fee</i>	<i>Amount</i>	<i>£</i>	<i>Fee</i>
does not exceed	10,000	11.00	does not exceed	140,000	154.00
„ „ „	20,000	22.00	„ „ „	150,000	165.00
„ „ „	30,000	33.00	„ „ „	160,000	176.00
„ „ „	40,000	44.00	„ „ „	170,000	187.00
„ „ „	50,000	55.00	„ „ „	180,000	198.00
„ „ „	60,000	66.00	„ „ „	190,000	209.00
„ „ „	70,000	77.00	„ „ „	200,000	220.00
„ „ „	80,000	88.00	„ „ „	210,000	231.00
„ „ „	90,000	99.00	„ „ „	220,000	242.00
„ „ „	100,000	110.00	„ „ „	230,000	253.00
„ „ „	110,000	121.00	„ „ „	240,000	264.00
„ „ „	120,000	132.00	„ „ „	250,000	275.00
„ „ „	130,000	143.00	exceeds	250,000	275.00

#### *Notes*

1. Where a heritable security secures a yearly or periodical payment, the amount of the heritable security shall be the capitalised amount of the payment, calculated for perpetual payments at 20 years' purchase and for liferent payments according to the value of the expectancy.
2. Where an application for the registration of a Standard Security accompanies an application for the registration of a heritable title to the same subjects, the fee for the registration of the Standard Security will be £7.00.
3. Where a Discharge, a Discharge and Deed of Restriction or a Deed of Restriction of a Standard Security or of a Bond and Disposition in Security, or a Discharge of a heritable security constituted by *ex facie* absolute conveyance, accompanies an application for the registration of a heritable title to the same subjects, no fee will be charged for these security deeds.
4. Where two or more Standard Securities or Discharges thereof are registered in respect of one loan, a fee for the full amount of the loan will be charged on one writ and a fee of £7.00 will be charged on each of the others. This arrangement applies only to Standard Securities and Discharges thereof.
5. In the case of a Discharge and Deed of Restriction registered on its own the fee will be charged on the amount of the Discharge.
6. In the case of a Deed of Restriction registered on its own there will be a fee of £11.00.
7. In the case of a Variation of a Standard Security there will be a fee of £11.00, except where the amount secured by the Standard Security is increased, in which case the fee will be charged on the amount of the increase.

#### *C. Miscellaneous transactions and events*

Registration of miscellaneous transactions and events not coming under head A or B above:—

- |   |       |
|---|-------|
| (1) Notice of Payment of Grant.....   | £7.00 |
| (2) Receipt registered in terms of the Industrial and Provident Societies Act 1965..... | £0.25 |

- (3) Discharge of feuduty, ground annual or other yearly or periodical sum or Receipt for Redemption thereof..... £11.00

Note: If any such Discharge or Receipt is endorsed on or annexed to a relevant conveyance, no separate fee will be charged.

- (4) All other miscellaneous transactions and events..... £11.00

## 2. REPORTS

When application is made

- (a) on Form 10 for a Report or on Form 11 for continuation of Report prior to Registration..... No fee
- (b) on Form 12 for a Report or on Form 13 for the continuation of Report over Registered Subjects..... No fee
- (c) on Form 14 for a Report to ascertain whether or not Subjects have been registered..... £ 5.00

## 3. MISCELLANEOUS SERVICES

When application is made

- (a) on Form 5 for Noting of Overriding Interest or for entry of Other Information on the Register..... £ 2.00
- (b) on Form 8 for Certificate of Title to be made to correspond with Title Sheet..... No fee
- (c) on Form 9 for Rectification of Register..... No fee
- (d) for comparison of a bounding description with the Ordnance Map..... £ 7.00
- (e) for comparison of the boundaries on the Certificate Plan with the Ordnance Map..... £ 5.00
- (f) for exhibition of a Title Sheet..... £ 2.00
- (g) for checking the boundaries of adjoining properties..... £10.00

# PART II - GENERAL REGISTER OF SASINES

## 1. RECORDING FEES

### A. Conveyances

Recording of conveyance, including absolute conveyance, voluntary or judicial, either for a price or as a gift or in implement of trust or other purpose, completion of title by decree or by Notice of Title, feu-right, lease, deed creating a ground annual or other yearly or periodical payment where there is a transfer of heritable subjects not in security, and generally all deeds transferring an absolute right to heritable subjects.

The fee shall be calculated as follows:—

- (a) in the case of a conveyance for a consideration, on the amount of the consideration or the value of the heritable subjects transferred or passing, whichever is the greater, or
- (b) in any other case, on the value of the heritable subjects transferred or passing,

at the rate of £11.00 for every £5,000 or part of £5,000, subject to a maximum of £550.00, as shown in the following Table.

TABLE

<i>Consideration or value</i>			<i>Fee</i>	<i>Consideration or value</i>			<i>Fee</i>
£			£	£			£
does not exceed	5,000		11.00	does not exceed	135,000		297.00
" " "	10,000		22.00	" " "	140,000		308.00
" " "	15,000		33.00	" " "	145,000		319.00
" " "	20,000		44.00	" " "	150,000		330.00
" " "	25,000		55.00	" " "	155,000		341.00
" " "	30,000		66.00	" " "	160,000		352.00
" " "	35,000		77.00	" " "	165,000		363.00
" " "	40,000		88.00	" " "	170,000		374.00
" " "	45,000		99.00	" " "	175,000		385.00
" " "	50,000		110.00	" " "	180,000		396.00
" " "	55,000		121.00	" " "	185,000		407.00
" " "	60,000		132.00	" " "	190,000		418.00
" " "	65,000		143.00	" " "	195,000		429.00
" " "	70,000		154.00	" " "	200,000		440.00
" " "	75,000		165.00	" " "	205,000		451.00
" " "	80,000		176.00	" " "	210,000		462.00
" " "	85,000		187.00	" " "	215,000		473.00
" " "	90,000		198.00	" " "	220,000		484.00
" " "	95,000		209.00	" " "	225,000		495.00
" " "	100,000		220.00	" " "	230,000		506.00
" " "	105,000		231.00	" " "	235,000		517.00
" " "	110,000		242.00	" " "	240,000		528.00
" " "	115,000		253.00	" " "	245,000		539.00
" " "	120,000		264.00	" " "	250,000		550.00
" " "	125,000		275.00	exceeds	250,000		550.00
" " "	130,000		286.00				

*Notes*

1. Where the consideration consists of a feu duty, rent, ground annual or other yearly or periodical payment, the amount of that consideration shall be the capitalised amount of the payments calculated at 20 years' purchase.

2. Where an excambion is effected by more than one deed, a fee will be charged for each deed on the value of the subjects therein. Where an excambion is effected by one deed, the fee will be calculated on the total value of the subjects therein.

*B. Securities*

Recording of security, including the constitution, transfer, postponement, corroboration or extinction of a security, (but excluding a ground annual created by bilateral deed).

The fee shall be calculated as follows:—

- (i) on the amount of the security or securities created, transferred, postponed, corroborated or discharged; or
- (ii) where there is any combination of transfer, postponement, corroboration and discharge of a security or securities, on the amount of the security or securities affected by such combination,

at the rate of £11.00 for every £10,000 or part of £10,000, subject to a maximum of £275.00, as shown in the following Table.

TABLE

<i>Amount</i>	<i>£</i>	<i>Fee</i>	<i>Amount</i>	<i>£</i>	<i>Fee</i>
does not exceed	10,000	11.00	does not exceed	140,000	154.00
” ” ”	20,000	22.00	” ” ”	150,000	165.00
” ” ”	30,000	33.00	” ” ”	160,000	176.00
” ” ”	40,000	44.00	” ” ”	170,000	187.00
” ” ”	50,000	55.00	” ” ”	180,000	198.00
” ” ”	60,000	66.00	” ” ”	190,000	209.00
” ” ”	70,000	77.00	” ” ”	200,000	220.00
” ” ”	80,000	88.00	” ” ”	210,000	231.00
” ” ”	90,000	99.00	” ” ”	220,000	242.00
” ” ”	100,000	110.00	” ” ”	230,000	253.00
” ” ”	110,000	121.00	” ” ”	240,000	264.00
” ” ”	120,000	132.00	” ” ”	250,000	275.00
” ” ”	130,000	143.00	exceeds	250,000	275.00

*Notes*

1. Where a security secures a yearly or periodical payment, the amount of the security shall be the capitalised amount of the payment, calculated for perpetual payments at 20 years' purchase and for liferent payments according to the value of the expectancy.
2. Where a Standard Security accompanies a conveyance to the granter of the security of the subjects over which the security is constituted, the fee for the recording of the Standard Security will be £7.00.
3. Where two or more Standard Securities or Discharges thereof are recorded in respect of one loan, a fee for the full amount of the loan will be charged on one writ and a fee of £7.00 will be charged on each of the others. This arrangement applies only to Standard Securities or Discharges thereof.
4. In the case of a Discharge and Deed of Restriction the fee will be charged on the amount of the Discharge.
5. In the case of a Deed of Restriction there will be a fee of £11.00.
6. In the case of a Variation of a Standard Security there will be a fee of £11.00 except where the amount secured by the Standard Security is increased; in which case the fee will be charged on the amount of the increase.

*C. Miscellaneous writs*

Recording of miscellaneous writs not coming under head A or B above:—

- (1) Notice of Payment of Grant..... £ 7.00
- (2) Receipt registered in terms of the Industrial and Provident Societies Act 1965..... £ 0.25
- (3) Discharge of feuduty, ground annual or other yearly or periodical sum or Receipt for Redemption thereof..... £11.00

Note: If any such Discharge or Receipt is endorsed on or annexed to a relevant conveyance, no separate fee will be charged.

- (4) All other miscellaneous writs..... £11.00
- (5) Writ recorded by Memorandum..... £2.00 for each Memorandum.

## 2. SEARCHING FEES

*Searches*

For every Search for Incumbrances over subjects in one county included in one Search:—

	£
For any period not exceeding 5 years.....	6.00
from 6 to 10 years.....	7.00
„ 11 to 15 „ .....	8.00
„ 16 to 20 „ .....	10.00
„ 21 to 25 „ .....	12.00
„ 26 to 30 „ .....	14.00
„ 31 to 35 „ .....	16.00
„ 36 to 40 „ .....	18.00

In any Search for a period exceeding 40 years a fee of £0.55 will be charged for each year or part of a year beyond 40 years.

- Notes:— 1. The above fees include writing fees.
2. When a Search is required in respect of subjects situated in more than one county, half fees at the above rate will be charged for each additional county to which the Search applies.

*Interim Reports*

	£
Interim Report prior to completion of Search.....	3.00

*Reports from Search Sheets*

	£
For searching of any Search Sheet affecting one property not exceeding 5 years.....	2.00
for each 5 years or part of 5 years beyond 5 years.....	0.55
Half fees for each county after the first.	

Note:— There is no charge for notes made by the party searching the Search Sheets.

## PART III. GENERAL REGISTER OF HORNINGS

	£
Registration fee.....	4.30

## PART IV. REGISTER OF INHIBITIONS AND ADJUDICATIONS

1. *Registration Fees*

	£
For a document of one page.....	2.50
For each additional page.....	0.55

2. *Searching Fees*

	£
For any period not exceeding five years.....	2.20
For each additional 5 years or part of 5 years beyond 5 years.....	0.75

Note:— The above fees include writing fees.



## PART V. REGISTER OF ENTAILS

Registration fee.....	£ 7.00
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PART VI. REGISTER OF DEEDS &C., REGISTER OF PROTESTS AND  
REGISTER FOR ENGLISH AND IRISH JUDGMENTS*Registration Fees*  
(including recording, extracting and authentication fees)

	£
1. Deeds and Certificates of English and Irish Judgments	
For a document of one page.....	3.70
For each additional page.....	0.75
2. Protest of a Bill or Promissory Note.....	2.90

## PART VII. REGISTER OF SERVICE OF HEIRS

*Registration Fee*  
(including recording, extracting and authentication fees)

	£
Decrees of Service	
For each page of Extract or part thereof.....	2.20

Note:—"Page" in the Register of Service of Heirs means a page of Record Volume.

## PART VIII. REGISTER OF THE GREAT SEAL

*Registration Fees*

	£
For a Charter of Incorporation.....	133.00
For a Charter of Novodamus or other Crown Grant of land.....	21.00
For a Commission.....	131.00

## PART IX. REGISTER OF THE CACHET SEAL

	£
For each impression.....	0.75

## PART X. REGISTER OF THE PRINCE'S SEAL

*Registration Fee*

	£
For a Charter of Novodamus or other grant of land by the Prince and Steward of Scotland.....	23.00

## PART XI. REGISTER OF THE QUARTER SEAL

*Registration Fee*

	£
For each Gift of Ultimus Haeres.....	16.80

**PART XII. PRECEPT RECORD (CROWN) AND PRECEPT RECORD  
(PRINCE AND STEWARD OF SCOTLAND)**

*Registration Fee*

	£
For each Writ of Clare Constat or other Grant.....	23.00

**PART XIII. FEES APPLICABLE TO ALL REGISTERS  
(EXCEPT THE LAND REGISTER OF SCOTLAND)**

*Inspection Fees*

	£
For the inspection of each index and volume (except the Search Sheet), document or process.....	0.65

Note:— Where fees have been paid to the Scottish Record Office for the inspection of minute books and indexes of the Register of Sasines, Register of Inhibitions and Adjudications or other public registers, no fee will be charged by the Department of the Registers of Scotland in respect of a continuation thereof to date.

**PART XIV. FEES APPLICABLE TO ALL REGISTERS**

*1. Copying Fees*

	£
1. For an official extract, certified copy, plain copy or duplicate.....	0.20 per sheet
2. For an office copy, within the meaning of Section 6(5) of the Land Registration (Scotland) Act 1979, of a Title Sheet (or a part thereof other than the plan) or any document referred to therein.....	0.20 per sheet
3. For a plan (A4 size).....	0.50
For a plan (larger than A4 size).....	A fee being the value of the work and materials involved.

4. Authentication	
For each official extract, certified copy, duplicate or office copy.....	0.90
5. Handling charge for second and subsequent extracts and for copies.....	1.10

- Notes:—
1. Copying and authentication fees are included in the registration fees in Parts VI and VII of this Schedule.
  2. The handling charge is remitted for orders placed at the time of registration.

*2. Other Services*

	£
1. For a record retransmitted or transmitted to any court or exhibited therein, at the instance of a party, in accordance with the Rules of Court governing such transmissions or exhibitions.....	3.50
2. For attendance by an officer of the Department at any court to produce a record in evidence, for each day or part of a day, in addition to travelling expenses.....	42.00
3. For each Certificate issued under the Judgments Extension Act 1868 (31 & 32 Vict, c. 54).....	2.60
4. For each Certificate of Custody that a deed is retained for permanent preservation.....	2.60
5. For any service not specifically listed above.....	A fee being the value of the work and materials involved.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order prescribes the fees payable for the registration or recording of deeds in registers under the management and control of the Keeper of the Registers of Scotland and for the provision by the Keeper of searches and other services relating thereto.

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