

1987 No. 1139 (S.84)

LANDS TRIBUNAL

**The Lands Tribunal for Scotland (Amendment) (Fees)
Rules 1987**

Made - - - - *23rd June 1987*

Coming into force *1st August 1987*

In exercise of the powers conferred by section 3 of the Lands Tribunal Act 1949(a) and now vested in me(b) and of all other powers enabling me in that behalf, and with the approval of the Treasury, I hereby make the following Rules:

1. These Rules may be cited as the Lands Tribunal for Scotland (Amendment) (Fees) Rules 1987 and shall come into force on 1st August 1987.
2. For the Table of Fees contained in Schedule 2 to the Lands Tribunal for Scotland Rules 1971(c) there shall be substituted the Table of Fees set out in the Schedule to these Rules.
3. The Lands Tribunal for Scotland (Amendment) (Fees) Rules 1983(d) are hereby revoked.

Lord Advocate's Chambers
8th May 1987

Cameron of Lochbroom
Lord Advocate

We approve,

23rd June 1987

Tim Sainsbury
Michael Neubert
Two of the Lords Commissioners of Her Majesty's Treasury

(a) 1949 c.42; section 3 was amended by the Conveyancing and Feudal Reform (Scotland) Act 1970 (c.35), section 50(2) and by S.I. 1972/2002.

(b) S.I. 1972/2002.

(c) S.I. 1971/218; relevant amending instrument is S.I. 1983/1428.

(d) S.I. 1983/1428.

SCHEDULE

Rule 2

FEES

<i>Item</i>	<i>Fee payable</i>	<i>Fee formerly payable(a)</i>
Applications etc.		
1. On an application under section 1 or 4 of the Conveyancing and Feudal Reform (Scotland) Act 1970(b)	£25.00	£15.00
2. On an application under Part III of these Rules or where the Tribunal is acting under a reference by consent	£15.00	£ 8.00
3. On any other application (not being an appeal under Part IV or Part VA or a reference under Part V or Part VC of these Rules)	£10.00	£ 8.00
Hearing Fees, etc.		
4.(a) On the hearing of an application under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970	£50.00	£40.00
(b) On the making of an order under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970	£25.00	-
5. On the hearing of an application under Part III of these Rules or in relation to any dispute relating to the assessment of betterment levy referred to the Tribunal under section 47 of the Land Commission Act 1967(c) or where the Tribunal is acting under a reference by consent:-		
(a) Where the amount determined (in terms of a lump sum) -		
(i) is nil or does not exceed £1,000.00	£25.00	(i) is nil or does not exceed £250.00 £15.00
		(ii) exceeds £250.00 but does not exceed £500.00 £20.00
		(iii) exceeds £500.00 but does not exceed £1,000 £25.00
(ii) exceeds £1,000.00	£25.00 with an addition of £20.00 in respect of every £1,000.00 or part of £1,000.00 by which the amount determined exceeds £1,000.00 but not exceeding in any case £1,500.00	£25.00 with an addition of £15.00 in respect of every £1,000.00 or part of £1,000.00 by which the amount determined exceeds £1,000.00 but not exceeding in any case £1,500.00

(a) This column shows the fees which were payable under S.I. 1971/218 as amended by S.I. 1983/1428 before the coming into operation of these Rules.

(b) 1970 c.35.

(c) 1967 c.1.

<i>Item</i>	<i>Fee payable</i>	<i>Fee formerly payable(a)</i>
(b) Where the amount determined (in terms of rent or other annual payment) –		
(i) does not exceed £25.00 per annum	£25.00	(i) does not exceed £10.00 per annum £15.00 (ii) exceeds £10.00 per annum but does not exceed £25.00 per annum £20.00
(ii) exceeds £25.00 per annum	£25.00 with an addition of £5.00 in respect of every £10.00 or part of £10.00 by which the rent, etc. determined exceeds £25.00 per annum but not exceeding in any case £1,500.00	£20.00 with an addition of £3.00 in respect of every £10.00 or part of £10.00 by which the rent, etc. determined exceeds £25.00 per annum but not exceeding in any case £1,500.00
(c) Where there is a settlement as to amount, for each day on which the Tribunal sits	£50.00	£40.00
6. On the hearing of any other appeal or reference (not being an appeal under Part IV or Part VA or a reference under Part V of these Rules) in which no fee is payable by reference to an amount determined	£50.00	£40.00
Miscellaneous fees		
7. On supplying and certifying a copy of an order or determination of the Tribunal	£ 1.50	£ 1.50
8. For each sheet of a copy of all or part of any document (other than a copy to which item 7 applies)	£ 0.66	£ 0.66
9. On a case for the decision of the Court of Session - an application for appeal by way of stated case (to include drafting of case and any necessary copies)	£10.00	£10.00

(a) This column shows the fees which were payable under S.I. 1971/218 as amended by S.I. 1983/1428 before the coming into operation of these Rules.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Lands Tribunal for Scotland Rules 1971 for two purposes –

- (1) to increase the fees payable to the Tribunal other than for items 5(a)(ii) in part and (b)(ii) in part (hearing fees), and items 7, 8 and 9 (miscellaneous fees) of the Schedule; and
- (2) to impose a fee for the first time on the Tribunal making an order under section 1 of the Conveyancing and Feudal Reform (Scotland) Act 1970 (item 4(b) of the Schedule).

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