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STATUTORY INSTRUMENTS

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**1995 No. 1395 (S.104)**

**SHERIFF COURT, SCOTLAND**

**Act of Sederunt (Fees of Solicitors in  
the Sheriff Court) (Amendment) 1995**

<i>Made</i>	- - - -	<i>31st May 1995</i>
<i>Laid before Parliament</i>		<i>1st June 1995</i>
<i>Coming into force</i>	- -	<i>22nd June 1995</i>

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 40 of the Sheriff Courts (Scotland) Act 1907<sup>(1)</sup> and of all other powers enabling them in that behalf, do hereby enact and declare:

**Citation, commencement and interpretation**

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment) 1995 and shall come into force on 22nd June 1995.

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

(3) In this Act of Sederunt, “the Act of Sederunt 1993” means the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993<sup>(2)</sup>.

**Amendment of General Regulations**

2. The General Regulations in Schedule 1 to the Act of Sederunt 1993 shall be amended by omitting from General Regulation 5(b) the words “Where such an increase is allowed” to the words “against his own client”.

**Amendment of Table of Fees**

3.—(1) In Chapters I, II, III, IV and VI of the Table of Fees in the Schedule to the Act of Sederunt 1993, in the paragraphs specified in column 1 of the Schedule to this Act of Sederunt, for the fees set out in column 2 of that Schedule as applying to those paragraphs, there shall be substituted the fees set out in column 3 of that Schedule; and the fees so substituted shall apply to work, for which those fees are chargeable, done on or after the date on which this Act of Sederunt comes into force.

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(1) 1907 c. 51; section 40 was amended by section 1(3) of the Secretaries of State Act 1926 (c. 18), the Schedule to the Administration of Justice (Scotland) Act 1933 (c. 41) and paragraph 7 of Schedule 1, and Schedule 2, to the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12).

(2) S.I.1993/3080 as amended by S.I. 1994/1142.

(2) After sub-paragraph (b) of paragraph 1 of Part I of Chapter I of the said Table insert:

“(bb) In cases where a court appearance is necessary because of a time to pay direction an additional fee of £25.”.

(3) In sub-paragraph (c) of paragraph 1 of Part I of Chapter I of the said Table for the words “dues for deliverance” substitute the word “fees”.

(4) In sub-paragraph (b) of paragraph 2 of Part I of Chapter I of the said Table for the words from “the shorthand writer’s fee actually charged” to the end of that sub-paragraph substitute the words: “The court fee, any shorthand writer’s fee actually charged as provided by Act of Sederunt and also any other necessary outlays up to £75 without the necessity for taxation. If the other outlays claimed exceed £75, then an account of such other outlays shall be remitted to the auditor of court for taxation and the sum allowed in respect of such other outlays shall be the amount as taxed together with the court fees for the lodging and taxation of that account.”.

### **Saving**

4. The fees set out in column 2 of the Schedule to this Act of Sederunt shall continue to apply to work done before this Act of Sederunt comes into force.

Edinburgh,  
31st May 1995

*Hope of Craighead*  
Lord President, I.P.D.

## SCHEDULE

Paragraph 3(1)

<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
<b>Chapter I:—</b>		
<b>Part I.</b>		
1.(a)	103.00	106.10
(b)	82.40	84.90
2.(a)	359.90	370.70
3.(a)	321.40	331.05
<b>Part II.</b>		
1. Table A.		
1.	253.20	260.80
2.	179.90	185.30
3.	55.30	56.95
4.	488.40	503.05
2. Table B.		
1.	208.20	214.45
2.	100.20	103.20
3.	55.30	56.95
4.	363.70	374.60
3. Table C.		
1.	100.20	103.20
2.	58.70	60.45
3.	158.90	163.65
<b>Chapter II:—</b>		
<b>Part I.</b>		
1.(a)	167.10	172.10
(b)	57.80	59.55
2.(a)	248.00	255.45
(b)	167.10	172.10
(c)	28.30	29.15
(d)	41.70	42.95
3.	10.30	10.60
4.(a)(i)	124.70	128.45
(ii)	15.30	15.75
(iii)	13.90	14.30

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<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
(b)(ii)	73.20	75.40
(iii)	13.90	14.30
5.	25.00	25.75
6.(a)	55.30	56.95
(b)	7.60	7.85
(maximum fee)	38.00	39.15
7.(a)(i)	154.30	158.95
(ii)	104.10	107.20
(iii)	30.90	31.85
(b)(i)	93.10	95.90
(ii)	51.40	52.95
(iii)	15.30	15.75
(iv)	13.90	14.30
8.(a)	64.30	66.25
(b)	41.70	42.95
(c)(i)	57.80	59.55
(ii)	15.30	15.75
(d)	14.10	14.50
9.(a)(i)	70.80	72.90
(ii)	46.10	47.50
(b)(i)	57.80	59.55
(ii)	38.50	39.65
(c)	51.40	52.95
10.(a)(i)	73.20	75.40
(ii)	51.40	52.95
(b)(i)	41.70	42.95
(ii)	30.90	31.85
11.(a)(i)	179.90	185.30
(ii)	302.10	311.15
(b)	63.00	64.90
(c)	30.90	31.85
(d)	15.30	15.75
12.(a)	15.30	15.75

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<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
(b)	13.90	14.30
(c)	13.90	14.30
13.(a)	51.40	52.95
(b)	15.30	15.75
(c)	13.90	14.30
(d)	13.90	14.30
14.(a)(i)	96.40	99.30
(ii)	15.30	15.75
(iii)	13.90	14.30
(iv)	13.90	14.30
(b)	48.30	49.75
15.(a)(i)	57.80	59.55
(ii)	43.10	44.40
(b)	96.40	99.30
16.(a)	77.00	79.30
(b)	63.00	64.90
(c)	22.40	23.10
17.(a)	1.03	1.05
(b)	0.41	0.42
19.(a)	30.90	31.85
(b)	64.30	66.25
(c)	64.30	66.25
<b>Part II.</b>		
1.(a)	283.30	291.80
(b)	51.50	53.05
2.	25.80	26.60
3.(a)	30.90	31.85
(b)	15.50	15.95
4.(a)	128.80	132.65
(b)	77.30	79.60
(c)	30.90	31.85
(d)	41.20	42.45
5.	10.30	10.60

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<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
6.(a)	103.00	106.10
(b)	15.50	15.95
(c)	25.80	26.60
7.	103.00	106.10
15.50	15.95	
8.(a)(i)	82.40	84.90
(ii)	15.50	15.95
(b)	13.90	14.30
(c)	13.90	14.30
9.(a)	51.50	53.05
(b)	15.50	15.95
(c)	13.90	14.30
(d)	13.90	14.30
10.(a)	56.70	58.40
(b)	7.20	7.40
(maximum fee)	36.00	37.10
11.(a)(i)	154.50	159.15
(ii)	103.00	106.10
(iii)	30.90	31.85
(b)(i)	103.00	106.10
(ii)	51.50	53.05
(iii)	15.50	15.95
(iv)	13.90	14.30
(v)	13.90	14.30
12.(a)(i)	56.70	58.40
(ii)	13.90	14.30
(b)(i)	30.90	31.85
(ii)	13.90	14.30
(c)(i)	56.70	58.40
(ii)	15.50	15.95
(d)	13.90	14.30
(e)	13.90	14.30
13.(a)(i)	51.50	53.05

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<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
(ii)	20.60	21.20
(iii)	13.90	14.30
(b)(i)	41.20	42.45
(ii)	20.60	21.20
(iii)	13.90	14.30
(c)	51.50	53.05
14.(a)(i)	72.10	74.25
(ii)	30.90	31.85
(b)(i)	72.10	74.25
(ii)	30.90	31.85
15.	257.50	265.25
16.(a)(i)	164.80	169.75
(ii)	298.70	307.65
(b)	67.00	69.00
(c)	15.50	15.95
17.(a)	15.50	15.95
(b)	13.90	14.30
(c)	13.90	14.30
18.(a)	51.50	53.05
(b)	15.50	15.95
(c)	13.90	14.30
(d)	13.90	14.30
19.(a)(i)	154.50	159.15
87.60	90.25	
(ii)	15.50	15.95
(iii)	13.90	14.30
(iv)	13.90	14.30
(b)	51.50	53.05
20.(a)(i)	56.70	58.40
(ii)	46.40	47.80
(b)	103.00	106.10
(c)	103.00	106.10
21.(a)	77.30	79.60

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<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
(b)	67.00	69.10
22.(a)	1.03	1.05
(b)	0.41	0.42
24.(a)	30.90	31.85
(b)	67.00	69.00
(c)(i)	67.00	69.00
(ii)	13.90	14.30
<b>Chapter III:—</b>		
1.	15.30	15.75
2.(a)	13.90	14.30
3.	7.00	7.20
4.	10.40	10.70
5.	2.90	3.00
6.(i)	1.03	1.05
(ii)	0.41	0.42
7.	2.90	3.00
8.	13.90	14.30
9.	2.90	3.00
10.	2.90	3.00
11.	13.90	14.30
12.(a)	1.03	1.05
(b)	7.00	7.20
(c)	2.90	3.00
13.	7.00	7.20
14.(a)	2.90	3.00
(b)	2.90	3.00
(c)	7.00	7.20
(d)	7.00	7.20
15.(a)	7.00	7.20
(b)	7.00	7.20
(c)	7.00	7.20
(d)	8.40	8.65
16.(a)	7.00	7.20



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<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
(b)	7.00	7.20
(c)	7.00	7.20
(d)	7.00	7.20
(e)	7.00	7.20
(f)	7.00	7.20
<b>Chapter IV:—</b>		
<b>Part I.</b>		
1.	51.40	52.95
2.(a)	5.70	5.90
(b)	16.70	17.20
3.	16.70	17.20
<b>Part II.</b>		
1.	70.80	72.90
2.(a)	5.80	6.00
12.90	13.30	
(b)	5.80	6.00
(c)	18.60	19.15
3.	18.60	19.15
4.	64.30	66.25
5.	30.90	31.85
6.(a)	28.30	29.15
(b)	12.90	13.30
7.(a)	28.30	29.15
(b)	12.90	13.30
8.(a)	38.50	39.65
(b)	28.30	29.15
9.(a)	30.90	31.85
(b)	18.60	19.15
10.(a)	18.60	19.15
(b)	9.70	10.00
11.(a)	38.50	39.65
(i)	28.30	29.15
(ii)	28.30	29.15
(b)	64.30	66.25

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<i>Column 1 (paragraph)</i>	<i>Column 2 (old fee) £</i>	<i>Column 3 (new fee) £</i>
12.(a)	32.10	33.05
(b)	28.90	29.75
(c)	18.60	19.15
(d)	12.90	13.30
13.(a)(i)	38.50	39.65
(ii)	23.80	24.50
(b)(i)	30.90	31.85
(ii)	18.60	19.15
(c)	18.60	19.15
(d)	12.90	13.30
(e)	18.00	18.55
(f)	12.90	13.30
14.	12.90	13.30
15.(a)	86.80	89.40
(b)	18.60	19.15
16.(a)	38.50	39.65
(b)	38.50	39.65
(c)	18.60	19.15
<b>Chapter VI:—</b>		
1.	77.00	79.30
3.(a)	21.80	22.45
(b)	21.80	22.45
4.	43.70	45.00

## EXPLANATORY NOTE

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

This Act of Sederunt—

- (a) makes minor amendments to paragraph 5(b) of the General Regulations contained in Schedule 1 to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993 (paragraph 2); and

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- (b) amends Chapters I, II, III, IV and VI of the Table of Fees in the Schedule to the Act of Sederunt 1993 by increasing the fees payable to solicitors by about 3 per cent;
- (c) increases the maximum additional fee for a report permitted under paragraph 6(b) of Part I of Chapter II; and
- (d) makes minor amendments to paragraphs 1 and 2 of Part I of Chapter I (paragraph 3).