

---

STATUTORY INSTRUMENTS

---

**1996 No. 680 (S.68)**

**SCOTTISH LAND COURT**

**The Scottish Land Court (Fees) Order 1996**

<i>Made</i>	- - - -	<i>1st March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred on him by section 2 of the Courts of Law Fees (Scotland) Act 1895(1), and of all other powers enabling him in that behalf, and with the concurrence of the Treasury, hereby makes the following Order:

1. This Order may be cited as the Scottish Land Court (Fees) Order 1996 and shall come into force on 1st April 1996.

2.—(1) This Order regulates the fees payable in respect of proceedings before the Scottish Land Court.

(2) The fees regulated by this Order shall be payable to the Principal Clerk of the Scottish Land Court or any officer acting for him.

3. The fees payable in respect of the matters specified in column 1 of the Table of Fees in the Schedule to this Order shall be the fees specified in relation to those matters in column 2 of that Table (the fees formerly payable being shown in column 3 of that Table).

4. The Scottish Land Court (Fees) Order 1995(2) is hereby revoked.

St Andrew's House,  
Edinburgh  
29th February 1996

*James Douglas-Hamilton*  
Minister of State, Scottish Office

---

(1) 1895 c. 14; section 2 was substituted by section 4 of the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12); the Scottish Land Court was specified as a Scottish Court for the purposes of section 2 by S.I.1989/1366.  
(2) S.I. 1995/307.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

We concur,

1st March 1996

*Michael Bates*  
*Liam Fox*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## SCHEDULE

Article 3

## TABLE OF FEES

Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
(1) <i>Small Landholders (Scotland) Acts 1886 to 1931 and Crofters (Scotland) Act 1993</i> (4)	60.00	58.00
(a) Application for a Record of a holding or a croft Principal application (each applicant)		
For each respondent	10.00	10.00
(b) (b) Recording agreements for loan by	70.00	65.00
(i) the Scottish Office Agriculture, Environment and Fisheries Department and		
(ii) the Highlands and Islands Enterprise Each agreement		
(c) (c) Other applications Principal application	28.00	26.00
When more than one applicant (each additional applicant)	18.00	17.00
For each respondent	4.00	4.00
(d) (d) Appeals and motions for rehearing	50.00	45.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1995 (S.I. 1995/307).

(4) 1993 c. 44.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable <sup>(3)</sup> £
Each appellant or motioner		
Each respondent	6.00	4.00
(e) (e) Hearing and Inspection fee payable by applicant in all applications. For each day or part thereof the Court sits or inspects	60.00	55.00
(f) (f) Additional fee	70.00	65.00
(i) Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party but before the commencement of the hearing — payable by the applicant		
(ii) Where the Principal Clerk of Court executes a conveyance following upon an Order of the Court under section 16(2) of the Crofters (Scotland) Act 1993— payable by the applicant	65.00	60.00
(2) <i>Agricultural Holdings (Scotland) Act 1991</i> <sup>(5)</sup>	6.00	6.00
(a) Valuation of sheep stocks		
Awards not exceeding £100		
Awards exceeding £100:	6.00	6.00
—		

<sup>(3)</sup> This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1995 (S.I. 1995/307).

<sup>(5)</sup> 1991 c. 55.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
For the first £100 thereof		
For every additional £100 or part thereof	3.00	3.00
Where application dismissed or withdrawn before valuation	75.00	70.00
(b) (b) Arbitration as to rents Rental as fixed by Court, not exceeding £500	50.00	50.00
Rental as fixed by Court exceeding £500:— For the first £500	50.00	50.00
For every additional £100 or part thereof	7.50	7.50
Where application dismissed or withdrawn before rent fixed	80.00	75.00
(c) (c) Appeals against award by an arbiter Fee payable on lodging appeal	65.00	60.00
Rental as fixed by Court not exceeding £500	30.00	30.00
Rental as fixed by Court exceeding £500:— For the first £500	30.00	30.00
For every additional £100 or part thereof	3.00	3.00
Where application dismissed or withdrawn before rent fixed	85.00	80.00
(d) (d) Claims for compensation Awards not exceeding £100	12.00	12.00
Awards exceeding £100:—	12.00	12.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1995 (S.I. 1995/307).

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
For the first £100 thereof		
For every additional £100 or part thereof	5.00	5.00
Where application dismissed or withdrawn before compensation fixed	80.00	75.00
(e) (e) Other Applications Principal application	100.00	90.00
When more than one applicant (each additional applicant)	50.00	45.00
For each respondent	45.00	40.00
(f) (f) Appeals and motions for rehearing Each appellant or motioner	60.00	55.00
(g) (g) Hearings and Inspections For every day or part thereof the Court sits or inspects— payable by the applicant	120.00	115.00
(h) (h) Additional fee Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party but before the commencement of the hearing — payable by the applicant	120.00	115.00

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1995 (S.I. 1995/307).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable(3) £
(3) <i>Miscellaneous</i>	1.20	1.20
(a) For making a copy or copies of the principal application or any part of it, or any order in it, or any original deed, writ, or document in process For each sheet		
For certifying such copy	7.00	7.00
(b) (b) Applications not otherwise specified Principal application	100.00	90.00
When more than one applicant (each additional applicant)	50.00	45.00
For each respondent	45.00	40.00
(c) (c) Hearings and Inspections For every day or part thereof the Court sits or inspects— payable by the applicant	120.00	115.00
(d) (d) Additional fee Where the application is granted, dismissed or withdrawn after the hearing order has been received by each party but before the commencement of the hearing — payable by the applicant	120.00	115.00
(e) (e) Search fee	9.00	—

(3) This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1995 (S.I. 1995/307).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Column 1 Matters	Column 2 Fee payable £	Column 3 Fee formerly payable <sup>(3)</sup> £
For searches in records arising from postal or other enquiries — for each search		

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order regulates the fees payable from 1st April 1996 in respect of proceedings before the Scottish Land Court. In the majority of cases the fees are increased and a fee is prescribed for the first time for searches in the records of the court. The Scottish Land Court (Fees) Order 1995 is revoked.

<sup>(3)</sup> This column shows the fees formerly payable under the Scottish Land Court (Fees) Order 1995 (S.I. [1995/307](#)).