SCOTTISH STATUTORY INSTRUMENTS

2005 No. 149

SHERIFF COURT

Act of Sederunt (Fees of Solicitors and Witnesses in the Sheriff Court) (Amendment) 2005

Made - - - -	*11th March 2005*
Laid before Parliament	*15th March 2005*
Coming into force - -	*25th April 2005*

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

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Solicitors and Witnesses in the Sheriff Court) (Amendment) 2005 and shall come into force on 25th April 2005.

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

Amendment of Table of Fees of solicitors

2.—(1) The Schedule to the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment and Further Provisions) 1993(**2**) shall be amended in accordance with the following sub-paragraphs.

(2) In the Table of Fees, in the provisions mentioned in column 1 of the Schedule to this Act of Sederunt, for the amounts specified in column 2 of that Schedule, there shall be substituted the amounts specified in column 3.

(3) In Part II of Chapter II (defended ordinary actions, commercial actions and family actions commenced on or after 1st January 1994), in paragraph 14(a), for "relative attendances" there shall be substituted "initial attendance".

(4) In Part II of Chapter IV (defended actions commenced before 10th June 2002), in paragraph 8, for "relative attendance" there shall be substituted "initial attendance".

(**1**) 1907 c. 51; section 40 was amended by the Sheriff Courts (Scotland) Act 1913 c. 28, Schedule 1; the Secretaries of State Act 1926 c. 18, section 1(3); the Administration of Justice (Scotland) Act 1933 c. 41, Schedule; the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 c. 12, Schedule 1, paragraph 7 and Schedule 2; and the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 c. 40, Schedule 9.

(**2**) S.I. 1993/3080, amended by S.I. 1994/1142, 1995/1395, 1996/236, 1998/2675, S.S.I. 1999/149, S.S.I 2000/420, S.S.I. 2001/438, S.S.I. 2002/235, S.S.I. 2002/274, S.S.I. 2002/328, S.S.I. 2003/162, S.S.I 2004/152 and S.S.I 2004/196.

(5) In Part III of Chapter IV (defended actions commenced on or after 10th June 2002) in paragraph 10, for "relative attendance" there shall be substituted "initial attendance".

(6) In Part III of Chapter IV (defended actions: personal injuries claims only (Commenced on or after 10th June 2002)) in paragraph 10, for "relative attendance" there shall be substituted "initial attendance".

Amendment of Table of Fees of witnesses

3.—(1) The Table of Fees set out in the Act of Sederunt (Fees of Witnesses and Shorthand Writers in the Sheriff Court) 1992(**3**) shall be amended in accordance with the following sub-paragraph.

(2) In paragraph 2 of Schedule 1, for "£250" there shall be substituted "£400".

Saving

4. Paragraphs 2 and 3 shall not affect fees chargeable for work done, or outlays incurred, before 25th April 2005.

Edinburgh
11th March 2005

Cullen of Whitekirk
Lord President, I.P.D

(**3**) S.I. 1992/1878; last amended by S.S.I. 2002/280.

SCHEDULE

(1) *Provision*	*(2)* *Old Fee £*	*(3)* *New Fee £*
Chapter I, Part I:		
1. (a)	209.80	219.85
(b)	167.70	175.75
(bb)	47.00	49.25
2. (a)	733.00	768.20
3. (a)	654.50	685.90
Chapter I, Part II		
TABLE A: 1.	515.60	540.35
2.	366.40	384.00
3.	112.80	118.20
4.	996.50	1044.35
TABLE B: 1.	424.30	444.65
2.	204.20	214.00
3.	112.80	118.20
4.	742.10	777.70
TABLE C: 1.	204.20	214.00
2.	119.50	125.25
3.	324.30	339.85
Chapter II, Part II		
1A.	318.70	334.00
1B.	465.65	488.00
1. (a)	576.20	603.85
(b)	192.10	201.30
2.	52.60	55.10
3. (a)	62.90	65.90
(b)	31.30	32.80
4. (a)	262.40	275.00
(b)	157.30	164.85
(c)	62.90	65.90
(d)	83.90	87.95
5.	20.90	21.90
6. (a)	209.80	219.85

(1) *Provision*	*(2)* *Old Fee £*	*(3)* *New Fee £*
(b)	31.30	32.80
(c)	105.00	110.05
(d)	31.30	32.80
(e)	52.60	55.10
7.	208.60	218.60
	31.30	32.80
7A (a)	167.70	175.75
(b)	83.90	87.95
(c)	31.30	32.80
(d)	28.20	29.55
7B (a)	147.10	154.15
(b)	52.60	55.10
8. (a) (i)	167.70	175.75
(ii)	31.30	32.80
(b)	28.20	29.55
(c)	28.20	29.55
9. (a)	104.80	109.85
(b)	31.30	32.80
(c)	28.20	29.55
(d)	28.20	29.55
10. (a)	115.40	121.00
(b)	14.70	15.40
11. (a) (i)	314.70	329.80
(ii)	209.80	219.85
(iii)	62.90	65.90
(b) (i)	209.80	219.90
(ii)	104.80	109.85
(iii)	31.30	32.80
(iv)	28.20	29.55
(v)	28.20	29.55
12. (a) (i)	115.30	120.85
(ii)	28.20	29.55
(b) (i)	62.90	65.90
(ii)	28.20	29.55

(1) *Provision*	*(2)* *Old Fee £*	*(3)* *New Fee £*
(c) (i)	115.30	120.85
(ii)	31.30	32.80
(d)	28.20	29.55
(e)	28.20	29.55
13. (a) (i)	104.80	109.85
(ii)	42.10	44.10
(iii)	28.20	29.55
(b) (i)	83.90	87.95
(ii)	42.10	44.10
(iii)	28.20	29.55
(c)	104.80	109.85
14. (a) (i)	147.10	154.15
(ii)	62.90	65.90
(b) (i)	147.10	154.15
(ii)	62.90	65.90
14A. (a)	104.80	109.85
(b)	28.20	29.55
14B (a)	62.60	65.60
(b)	31.30	32.80
15.	523.80	548.95
16. (a) (i)	335.60	351.70
(ii)	608.10	637.30
(b)	136.50	143.05
(c)	31.30	32.80
17. (a)	31.30	32.80
(b)	28.20	29.55
(c)	28.20	29.55
18. (a)	104.80	109.85
(b)	31.30	32.80
(c)	28.20	29.55
(d)	28.20	29.55
19. (a) (i)	314.70	329.80
(i) (if counsel)	178.50	187.05
(ii)	31.30	32.80