SCOTTISH STATUTORY INSTRUMENTS

2004 No. 515

COURT OF SESSION

Act of Sederunt (Fees of Messengers-at-Arms) 2004

Made - - - - 29th November 2004

Coming into force - - 1st January 2005

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 6 of the Execution of Diligence (Scotland) Act 1926(**1**), section 5 of the Court of Session Act 1988(**2**) and of all other powers enabling them in that behalf, with the concurrence of the Lord Lyon King of Arms do hereby enact and declare:

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Messengers-at-Arms) 2004 and shall come into force on 1st January 2005.

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

Amendment of fees and regulations

2.—(1) Subject to sub-paragraph (3) below, the Table of Fees in the Schedule to this Act of Sederunt shall be substituted for the Table in Schedule 1 to the Act of Sederunt (Fees of Messengers-at-Arms) (No.2) 2002(**3**).

(2) Subject to sub-paragraph (3) below, regulation 5 of Schedule 1 to the Act of Sederunt (Fees of Messengers-at-Arms) (No.2) 2002 for "excluding postage, but including any recorded delivery costs exclusive of postage" there shall be substituted "including postage and any recorded delivery costs".

(3) Sub-paragraphs (1) and (2) shall apply to work carried out by a messenger-at-arms on or after 1st January 2005 but shall not affect the fees payable as respects any work so carried out before that date.

(**1**) 1926 c. 16.
(**2**) 1988 c. 36.
(**3**) S.S.I. 2002/566 amended by S.S.I. 536.

Edinburgh
29th November 2004

CULLEN OF WHITEKIRK
Lord President I.P.D.

SCHEDULE Paragraph 2

TABLE OF FEES

Item	*Band 1* £	*Band 2* £	*Band 3* £
1. *Service or intimation of a document*			
(a) (a) Service			
(i) each person at a different address	45.10	76.55	96.65
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987 and the Act of 2002	15.10	15.10	15.10
(b) (b) Postal service	21.80	21.80	21.80
(c) (c) Postal diligence	33.15	33.15	33.15
2. *Inhibitions*			
(a) (a) Inhibition only			
(i) each person at a different address	47.50	76.55	96.65
(ii) each additional person at the same address	24.65	24.65	24.65
(b) (b) Inhibition and service			
(i) each person at a different address	62.55	91.45	112.00
(ii) each additional person at a the same address	39.75	39.75	39.75
(c) (c) Inhibition, service and interdict			

Item	*Band 1* *£*	*Band 2* *£*	*Band 3* *£*
(i) each person at a different address	151.80	151.80	151.80
(ii) each additional person at the same address	64.55	64.55	64.55
3. *Interdicts (including non-harassment orders under the Protection from Harassment Act 1997 and anti-social behaviour orders under the Crime and Disorder Act 1998)*			
(a) (a) Interdict only			
(i) each person at a different address	112.00	112.00	112.00
(ii) each additional person at the same address	24.65	24.65	24.65
(b) (b) Interdict and service			
(i) each person at a different address	127.10	127.10	127.10
(ii) each additional person at the same address	39.75	39.75	39.75
(c) (d) Interdict, service and inhibition			
(i) each person at a different address	151.80	151.80	151.80
(ii) each additional person at the same address	64.55	64.55	64.55
4. *Attachments*			
(a) (a) Serving notice of entry	8.45	8.45	8.45
(b) (b) Arranging attachment and	63.40	63.40	63.40