SCOTTISH STATUTORY INSTRUMENTS

2004 No. 513

SHERIFF COURT

Act of Sederunt (Fees of Sheriff Officers) 2004

Made - - - -	*29th November 2004*
Laid before the Scottish Parliament - - - -	*30th 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 40 of the Sheriff Courts (Scotland) Act 1907(**1**), section 6 of the Execution of Diligence (Scotland) Act 1926(**2**) 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 Sheriff Officers) 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 Sheriff Officers) (No.2) 2002(**3**).

(2) Subject to sub-paragraph (3) below, in regulation 5 of Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) (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 sheriff officer on or after 1st January 2005 but shall not affect the fees payable as respects any work so carried out before that date.

(**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; and the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 c. 12, Schedule 1, paragraph 7 and Schedule 2.
(**2**) 1926 c. 16.
(**3**) S.S.I. 2002/567 amended by S.S.I. 2003/538.

Edinburgh
29th November 2004

CULLEN OF WHITEKIRK
Lord President I.P.D.

SCHEDULE Paragraph 2(1)

TABLE OF FEES

Item	*Summary Cause*			*Ordinary Cause*		
	Band 1 £	*Band 2* £	*Band 3* £	*Band 1* £	*Band 2* £	*Band 3* £
1. *Service or intimation of a document*						
(a)	(a) Service					
(i) each person at a different address	24.90	38.40	49.80	40.70	59.85	78.05
(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	8.35	8.35	8.35	13.60	13.60	13.60
(b) Postal service	11.75	11.75	11.75	19.85	19.85	19.85
(c) Postal diligence	18.15	18.15	18.15	29.90	29.90	29.90
2. *Interdicts (including non-harassment orders under the*						

Item	*Summary Cause*			*Ordinary Cause*		
	Band 1 £	*Band 2* £	*Band 3* £	*Band 1* £	*Band 2* £	*Band 3* £
Protection from Harassment Act 1997 and anti-social behaviour orders under the Crime and Disorder Act 1998)						
Interdict (a) 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
Interdict (b) and service						
(i) each person at a different address				125.75	125.75	125.75
(ii) each additional person at the same address				38.30	38.30	38.30
3. *Attachments*						
Serving (a) notice of entry	5.50	5.50	5.50	8.45	8.45	8.45

Item	*Summary Cause*			*Ordinary Cause*		
	Band 1 £	*Band 2* £	*Band 3* £	*Band 1* £	*Band 2* £	*Band 3* £
Arranging (a) attachment and endeavouring but being unable to execute the same for whatever reason	43.35	43.35	43.35	63.40	63.40	63.40
Arranging (c) and executing attachment where appraised value is –						
(i) £523 or under	74.25	74.25	74.25	74.25	74.25	74.25
(ii) over £523 and up to £2,099	115.10	115.10	115.10	115.10	115.10	115.10
(iii) over £2,099 and up to £21,140 – 10% of the appraised value						
(iv) over £21,140 and up to £105,688 – 10% of the						