SCOTTISH STATUTORY INSTRUMENTS

2002 No. 515

SHERIFF COURT

Act of Sederunt (Fees of Sheriff Officers) 2002

Made - - - -	*21st November 2002*
Laid before the Scottish Parliament - - - -	*25th November 2002*
Coming into force - -	*1st January 2003*

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) 2002 and shall come into force on 1st January 2003.

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

Amendment of fees

2.—(1) Subject to sub-paragraph (2) 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) 1994(**3**) and shall apply to work carried out by a sheriff officer on or after 1 January 2003.

(2) Sub-paragraph (1) does not affect the fees payable as respects any work so carried out before 1 January 2003.

(**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**) 1926 c. 16.

(**3**) 1994/392, as amended by S.I. 1994/3267, S.I. 1995/3095, S.I. 1996/2858, S.I. 1997/2824, S.I. 1998/2669, S.S.I. 1999/150, S.S.I. 2000/419 and S.S.I. 2001/438.

Edinburgh
21st November 2002

W. Douglas Cullen
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) Service						
(i) each person at a different address	£23.25	£35.90	£46.50	£38.05	£55.90	£72.90
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987	£7.80	£7.80	£7.80	£12.70	£12.70	£12.70
(b) Postal service	£11.25	£11.25	£11.25	£18.80	£18.80	£18.80
(c) Postal diligence	£17.20	£17.20	£17.20	£28.20	£28.20	£28.20
2. Interdicts						
(a) Interdict only						
(i) each person at a different address				£104.65	£104.65	£104.65

Item	*Summary Cause*			*Ordinary Cause*		
	Band 1	*Band 2*	*Band 3*	*Band 1*	*Band 2*	*Band 3*
(ii) each additional person at the same address				£23.00	£23.00	£23.00
Interdict(b) and service						
(i) each person at a different address				£117.50	£117.50	£117.50
(ii) each additional person at the same address				£35.80	£35.80	£35.80
3. Poindings						
Serving(a) notice of entry	£5.15	£5.15	£5.15	£7.90	£7.90	£7.90
Arranging(b) poinding and endeavouring but being unable to execute same for whatever reason	£40.50	£40.50	£40.50	£59.25	£59.25	£59.25
Arranging(c) and executing poinding where appraised value is–						

Item	*Summary Cause*			*Ordinary Cause*		
	Band 1	*Band 2*	*Band 3*	*Band 1*	*Band 2*	*Band 3*
(i) £488 or under	£69.40	£69.40	£69.40	£69.40	£69.40	£69.40
(ii) Over £488 and up to £1,961	£107.55	£107.55	£107.55	£107.55	£107.55	£107.55
(iii) Over £1,961 and up to £19,754 – 10% of the appraised value						
(iv) Over £19,754 and up to £98,757 – 10% of the first £19,754, 5% thereafter						
(v) Over £98,757 – 10% of the first £19,754, 5% thereafter up to £98,757 and 1% thereafter						
(b) Reporting of poinding	£6.65	£6.65	£6.65	£6.65	£6.65	£6.65

4. Poindings of motor vehicles, heavy plant