SCOTTISH STATUTORY INSTRUMENTS

2002 No. 513

COURT OF SESSION

Act of Sederunt (Fees of Messengers-At-Arms) 2002

Made - - - - 21st 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 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) 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 Messengers-At-Arms) 1994(**3**) and shall apply to work carried out by messengers-at arms on or after 1st January 2003.

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

Edinburgh
21st November 2002

W. Douglas Cullen
Lord President, I.P.D.

(**1**) 1926 c. 16.
(**2**) 1988 c. 36; section 5 was amended by section 2(3) of the Civil Evidence (Scotland) Act 1988 (c. 32) and by paragraph 45 of Schedule 4 to the Children (Scotland) Act 1995 (c. 36).
(**3**) S.I. 1994/391, as amended by S.I. 1994/3268, S.I. 1995/3094, S.I. 1996/2855, S.I. 1997/2825, S.I. 1998/2668, S.S.I. 1999/151, S.S.I. 2000/421 and S.S.I. 2001/440.

SCHEDULE Paragraph 2(1)

TABLE OF FEES

Item	Band 1	Band 2	Band 3
1. Service or intimation of a document			
(a) Service			
(i) each person at a different address	£42.15	£71.50	£90.30
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987	£14.10	£14.10	£14.10
(b) (b) Postal service	£20.65	£20.65	£20.65
(c) (c) Postal diligence	£31.25	£31.25	£31.25
2. Inhibitions			
(a) Inhibition only			
(i) each person at a different address	£44.40	£71.50	£90.30
(ii) each additional person at the same address	£23.00	£23.00	£23.00
(b) (b) Inhibition and service			
(i) each person at a different address	£58.45	£85.45	£104.65
(ii) each additional person at the same address	£37.15	£37.15	£37.15
(c) (c) Inhibition, service and interdict			
(i) each person at a different address	£141.85	£141.85	£141.85

Item	Band 1	Band 2	Band 3
(ii) each additional person at the same address	£60.30	£60.30	£60.30
3. Interdicts			
(a) Interdict only			
(i) each person at a different address	£104.65	£104.65	£104.65
(ii) each additional person at the same address	£23.00	£23.00	£23.00
(b) (b)Interdict and service			
(i) each person at a different address	£118.75	£118.75	£118.75
(ii) each additional person at the same address	£37.15	£37.15	£37.15
(c) (d)Interdict, service and inhibition			
(i) each person at a different address	£141.85	£141.85	£141.85
(ii) each additional person at the same address	£60.30	£60.30	£60.30
4. Poindings			
(a) (a)Serving notice of entry	£7.90	£7.90	£7.90
(b) (b)Arranging poinding and endeavouring but being unable to execute same for whatever reason	£59.25	£59.25	£59.25
(c) (c)Arranging and executing poinding where			

Item	Band 1	Band 2	Band 3
appraised value is–			
(i) £488 or under	£69.40	£69.40	£69.40
(ii) over £488 and up to £1,961	£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			
(d) (b) Reporting poinding	£6.65	£6.65	£6.65
5. Poindings of motor vehicles, heavy plant or machinery			
(a) Arranging and executing poinding where appraised value is–			
(i) £488 or under	£69.40	£69.40	£69.40
(ii) Over £488 and up to £2,170	£107.55	£107.55	£107.55
(iii) Over £2,170 and up to £98,757 5% of the appraised value			
(iv) Over £98,757 – 5% of the first £98,757, and 1% thereafter			