SCOTTISH STATUTORY INSTRUMENTS

2001 No. 439

SHERIFF COURT

Act of Sederunt (Fees of Sheriff Officers) 2001

Made - - - -	*27th November 2001*
Laid before the Scottish Parliament - - - -	*29th November 2001*
Coming into force - -	*1st January 2002*

The Lords of Council and Session, under and by virtue of the powers conferred on 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) 2001 and shall come into force on 1st January 2002.

(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 the date on which this Act of Sederunt comes into force.

(2) Sub paragraph (1) above does not affect the fees payable as respects any work so carried out before the date mentioned in that sub paragraph.

(**1**) 1907 c. 51; section 40 as amended by section 1(3) of the Secretaries of State Act 1926 (c. 18), by the Schedule to the Administration of Justice (Scotland) Act 1933 (c. 41) and by paragraph 7 of Schedule 1 to and Schedule 2 to the Divorce Jurisdiction, Court Fees and Legal Aid (Scotland) Act 1983 (c. 12).

(**2**) 1926 c. 16.

(**3**) S.I. 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 and S.S.I. 2000/419.

Edinburgh
27th November 2001

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

SCHEDULE Paragraph 2(1)

TABLE OF FEES

	Summary Cause			*Ordinary Cause*		
Item	*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	£28.65	£35.00	£45.30	£37.10	£54.50	£71.05
(ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987	£7.60	£7.60	£7.60	£12.40	£12.40	£12.40
(b) Postal service	£10.95	£10.95	£10.95	£18.30	£18.30	£18.30
(c) Postal diligence	£16.75	£16.75	£16.75	£27.50	£27.50	£27.50
2. *Interdicts*						
(a) Interdict only (i) each person at a				£102.00	£102.00	£102.00

	Summary Cause			*Ordinary Cause*		
Item	*Band 1*	*Band 2*	*Band 3*	*Band 1*	*Band 2*	*Band 3*
different address						
(ii) each additional person at the same address				£22.40	£22.40	£22.40
Interdict (b) and service				£114.50	£114.50	£114.50
(i) each person at a different address						
(ii) each additional person at the same address				£34.90	£34.90	£34.90
3. *Poindings*						
Serving (a) notice of entry	£5.00	£5.00	£5.00	£7.70	£7.70	£7.70
Arranging (b) poinding and endeavouring, but being unable, to execute it for whatever reason	£39.45	£39.45	£39.45	£57.75	£57.75	£57.75
Arranging (c) and executing poinding where	£67.65	£67.65	£67.65	£67.65	£67.65	£67.65

		Summary Cause			*Ordinary Cause*	
Item	*Band 1*	*Band 2*	*Band 3*	*Band 1*	*Band 2*	*Band 3*
appraised value is–						
(i) £476 or under						
(ii) Over £476 and up to £1,911	£104.80	£104.80	£104.80	£104.80	£104.80	£104.80
(iii) Over £1,911 and up to £19,253 – 10% of the appraised value						
(iv) Over £19,253 and up to £96,254 – 10% of the first £19,253, and 5% thereafter						
(v) Over £96,254 – 10% of the first £19,253, 5% thereafter up to £96,254 and 1% thereafter						
(b) Reporting (£) poinding	£6.50	£6.50	£6.50	£6.50	£6.50	£6.50