SCOTTISH STATUTORY INSTRUMENTS

# 2000 No. 421

# COURT OF SESSION

## Act of Sederunt (Fees of Messengers-At-Arms) 2000

*Made - - - - 24th November 2000*

*Coming into force - - 1st January 2001*

The Lords of Council and Session, under and by virtue of the powers conferred on 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) 2000 and shall come into force on 1st January 2001.

(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 a messenger-at-arms 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**) 1926 c. 16.
(**2**) 1988 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 and S.S.I. 1999/151.

Edinburgh
24th November 2000

*Rodger of Earlsferry*
Lord President I.P.D.

SCHEDULE Paragraph 2(1)

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 | £39.80 | £67.50 | £85.25 |
| (ii) each additional person at the same address or additional copy required to be served or intimated under the Act of 1987 | £13.30 | £13.30 | £13.30 |
| (b) (b) Postal service | £19.50 | £19.50 | £19.50 |
| (c) (c) Postal diligence | £29.50 | £29.50 | £29.50 |
| **2.** *Inhibitions* | | | |
| (a) (a) Inhibition only | | | |
| (i) each person at a different address | £41.90 | £67.50 | £85.25 |
| (ii) each additional person at the same address | £21.70 | £21.70 | £21.70 |
| (b) (b) Inhibition and service | | | |
| (i) each person at a different address | £55.15 | £80.70 | £98.80 |
| (ii) each additional person at the same address | £35.05 | £35.05 | £35.05 |
| (c) (c) Inhibition, service and interdict | | | |
| (i) each person at a different address | £133.90 | £133.90 | £133.90 |

| *Item* | *Band 1* | *Band 2* | *Band 3* |
|---|---|---|---|
| (ii) each additional person at the same address | £56.90 | £56.90 | £56.90 |
| **3.** *Interdicts* | | | |
| (a) (a) Interdict only | | | |
| (i) each person at a different address | £98.80 | £98.80 | £98.80 |
| (ii) each additional person at the same address | £21.70 | £21.70 | £21.70 |
| (b) (b) Interdict and service | | | |
| (i) each person at a different address | £112.10 | £112.10 | £112.10 |
| (ii) each additional person at the same address | £35.05 | £35.05 | £35.05 |
| (c) (d) Interdict, service and inhibition | | | |
| (i) each person at a different address | £133.90 | £133.90 | £133.90 |
| (ii) each additional person at the same address | £56.90 | £56.90 | £56.90 |
| **4.** *Poindings* | | | |
| (a) (a) Serving notice of entry | £7.45 | £7.45 | £7.45 |
| (b) (b) Arranging poinding and endeavouring, but being unable, to execute it for whatever reason | £55.95 | £55.95 | £55.95 |
| (c) (c) Arranging and executing poinding where | | | |

| *Item* | *Band 1* | *Band 2* | *Band 3* |
|---|---|---|---|
| appraised value is– | | | |
| (i) £461 or under | £65.50 | £65.50 | £65.50 |
| (ii) Over £461 and up to £1,851 | £101.50 | £101.50 | £101.50 |
| (iii) Over £1,851 and up to £18,647 – 10% of the appraised value | | | |
| (iv) Over £18,647 and up to £93,224 – 10% of the first £18,647, 5% thereafter | | | |
| (v) Over £93,224 – 10% of the first £18,647, 5% thereafter up to £93,224, and 1% thereafter | | | |
| (d) (i) Reporting poinding | £6.30 | £6.30 | £6.30 |
| **5.** *Poindings of motor vehicles, heavy plant or machinery* | | | |
| (a) (i) Arranging and executing poinding where appraised value is– | | | |
| (i) £461 or under | £65.50 | £65.50 | £65.50 |
| (ii) Over £461 and up to £2,048 | £101.50 | £101.50 | £101.50 |
| (iii) Over £2,048 and up to £93,224 – 5% of the appraised value | | | |
| (iv) Over £93,224 – 5% of the first £93,224, and 1% thereafter | | | |