
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 341

SHERIFF COURT

**Act of Sederunt (Fees of Sheriff
Officers) (Amendment) (No. 2) 2012**

Made - - - - 10th December 2012
Laid before the Scottish
Parliament - - - - 12th December 2012
Coming into force - - 28th January 2013

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) (Amendment) (No. 2) 2012 and comes into force on 28th January 2013.

(2) A certified copy of this Act of Sederunt is to be inserted in the Books of Sederunt.

Amendment of fees

2.—(1) Subject to subparagraph (2) below, for the Table of Fees in Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002(3) substitute the Table of Fees in the Schedule to this Act of Sederunt.

(2) Subparagraph (1) shall apply only to work carried out by a sheriff officer on or after 28th January 2013 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Act 1983 c.12, Schedule 1, paragraph 7 and Schedule 2; section 40 was renumbered as section 40(1), words were repealed and section 40(2) was inserted by S.S.I. 2011/396.

(2) 1926 c.16.

(3) S.S.I. 2002/567, amended by S.S.I. 2003/538, 2004/513, 2005/583, 2006/539, 2007/550, 2008/430, 2009/379, 2011/47 and 2011/432.

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Edinburgh
10th December 2012

BRIAN GILL
Lord President
I.P.D.

SCHEDULE

Paragraph 2(1)

TABLE OF FEES

Item	Column A £	Column B £
1. Service or intimation of a document		
(a) Service		
(i) each person at a different address	49.00	76.45
(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	10.65	17.25
(b) Postal service	15.00	25.35
(c) Postal diligence	23.25	38.15
2. Inhibitions		
(a) Inhibitions only		
(i) each person at a different address	63.15	97.75
(ii) each additional person at the same address	20.35	31.45
(b) Inhibition and service		
(i) each person at a different address	73.70	113.90
(ii) each additional person at the same address	32.00	49.50
(c) Inhibition, service and interdict		
(i) each person at a different address		189.20
(ii) each additional person at the same address		80.50
3. Interdicts (including non-harassment orders under the Protection from Harassment Act 1997 and antisocial behaviour orders under the Antisocial Behaviour etc. (Scotland) Act 2004)		
(a) Interdict only		
(i) each person at a different address		142.85
(ii) each additional person at the same address		31.45
(b) Interdict and service		
(i) each person at a different address		160.55
(ii) each additional person at the same address		48.90
4. Attachments		
(a) Service notice of entry	7.00	10.80
(b) Arranging attachment and endeavouring but being unable to execute the same for whatever reason	55.30	80.95
(c) Arranging and executing attachment where appraised value is—		
(i) £667 or under	94.75	94.75

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Item	Column A £	Column B £
(ii) over £667 and up to £2,679	146.90	146.90
(iii) over £2,679 and up to £26,984 – 10% of the appraised value		
(iv) over £26,984 and up to £134,908 – 10% of the first £26,984, 5% thereafter		
(v) over £134,908 – 10% of the first £26,984 5% thereafter up to £134,908 and 1% thereafter		
(d) Reporting attachment	9.00	9.00
5. Attachment of motor vehicles, heavy plant or machinery		
(a) Arranging and executing attachment where appraised value is—		
(i) £667 or under	94.75	94.75
(ii) over £667 and up to £2,964	146.90	146.90
(iii) over £2,964 and up to £134,908 – 5% of the appraised value		
(iv) over £134,908 – 5% of the first £134,908 and 1% thereafter		
(b) Reporting attachment	9.00	9.00
6. Money attachments under the Act of 2007		
(a) Arranging attachment and endeavouring but being unable to execute the same for whatever reason	55.30	80.95
(b) Arranging and executing attachment, including removal of attached money, where value of money is—		
(i) £667 or under	94.75	94.75
(ii) over £667 and up to £2,679	146.90	146.90
(iii) over £2,679 and up to £26,984 – 10% of the value		
(iv) over £26,984 and up to £134,908 – 10% of the first £26,984, 5% thereafter		
(v) over £134,908 – 10% of the first £26,984, 5% thereafter up to £134,908 and 1% thereafter		
(c) Reporting attachment	9.00	9.00
7. Auctions		
(a) Arranging auction, preparing advertisement and giving public notice	23.45	23.45
(b) Intimating the place and date of auction and if necessary the date of removal of attached effects – as in items 1(a) or (b) above, as the case may be		

Item	Column A £	Column B £
(c) Officer and witness attending auction but auction not executed for whatever reason	51.55	77.35
(d) Officer and witness attending auction	142.85	142.85
8. Ejections		
(a) Arranging ejection	51.55	77.35
(b) Arranging and executing ejection	105.85	120.05
9. Taking possession of effects		
(a) Arranging possession	51.55	77.35
(b) Arranging and effecting possession	105.85	142.85
10. Apprehensions		
(a) Arranging apprehension		77.35
(b) Arranging and apprehending		142.85
11. Taking possession of a child		
(a) Arranging to take possession		77.35
(b) Arranging and taking possession of each child		142.85
12. Arresting vessels, aircraft and cargo		
(a) Arranging to arrest	51.55	77.35
(b) Arranging and effecting arrestment	130.00	236.35
13. Miscellaneous		
(a) Making any report or application under the Act of 1987, the Act of 2002 or the Act of 2007 with the exception of reporting an attachment or a money attachment	17.95	17.95
(b) Granting any receipt required to be issued under the Act of 1987 or the Act of 2002	9.00	9.00
(c) Arranging locksmith or tradesman to be in attendance	5.75	5.75
(d) Granting certificate of dispenishment or providing any other certificate or report, registering any document or making any application to a court or the creditor	17.95	17.95
(e) Executing warrant to open lockfast places	17.95	17.95
(f) Time		
(i) with witness - £28.80 per unit		
(ii) without witness - £21.45 per unit		
(g) Photocopies		
(i) first page document - £2.00		

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Item	Column A	Column B
	£	£
(ii) subsequent pages – per page	£1.15	

EXPLANATORY NOTE

(This note is not part of the Act of Sederunt)

This Act of Sederunt amends Schedule 1 to the Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002, by substituting a new Table of Fees.

The fee levels in the new Table of Fees represent an increase of 2.45% on the existing fees. This increase takes effect from 28th January 2013.