SCOTTISH STATUTORY INSTRUMENTS

# 2020 No. 423

# COURT OF SESSION

# SHERIFF APPEAL COURT

# SHERIFF COURT

## Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) (Hague Service Convention) (Amendment) 2020

*Made - - - -* *10th December 2020*

*Laid before the Scottish Parliament* *11th December 2020*

*Coming into force in accordance with paragraph 1(2)*

In accordance with section 4 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013(**a**), the Court of Session has approved draft rules submitted to it by the Scottish Civil Justice Council.

The Court of Session therefore makes this Act of Sederunt under the powers conferred by sections 105(1) and 106(1) of the Courts Reform (Scotland) Act 2014(**b**) and all other powers enabling it to do so.

**Citation and commencement, etc.**

**1.**—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) (Hague Service Convention) (Amendment) 2020.

(2) It comes into force on IP completion day.

(3) A certified copy is to be inserted in the Books of Sederunt.

**Amendment of Act of Sederunt (Fees of Messengers-at-Arms) (No. 2) 2002**

**2.**—(1) The Act of Sederunt (Fees of Messengers-at-Arms) (No. 2) 2002(**c**) is amended in accordance with this paragraph.

(2) In the Table of Fees (table of fees payable to messengers-at-arms) in schedule 1(**d**), in item 13(h) (miscellaneous), after "document in Scotland under" insert "either the Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters concluded on 15th November 1965 (commonly referred to as the "Hague Service Convention") or".

---

(**a**) 2013 asp 3. Section 4 was amended by the Courts Reform (Scotland) Act 2014 (asp 18), schedule 5, paragraph 31(3) and by the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), schedule 1, paragraph 1(4).
(**b**) 2014 asp 18.
(**c**) S.S.I. 2002/566, last amended by S.S.I. 2018/126.
(**d**) The Table of Fees was last substituted by S.S.I. 2018/126.

**Amendment of Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002**

**3.** In the Table of Fees (table of fees payable to sheriff officers) in schedule 1 of Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002(**a**), at the end insert—

| | | |
|---|---|---|
| "(h) Service of a document in Scotland under the Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters concluded on 15th November 1965 (commonly referred to as the "Hague Service Convention") where service is effected by a method mentioned in rule 5.4(1), (3), (4) or (5) of the Ordinary Cause Rules 1993 (service within Scotland by sheriff officer)(**b**) or rule 5.5 of the Act of Sederunt (Sheriff Appeal Court Rules) 2015 (methods of intimation: by sheriff officer)(**c**) | 142.51 | 142.51" |

*CJM SUTHERLAND*
Lord President
I.P.D.

Edinburgh
10th December 2020

(**a**) S.S.I. 2002/567. The Table of Fees was last substituted by S.S.I. 2018/126.
(**b**) The Ordinary Cause Rules 1993 are in schedule 1 of the Sheriff Courts (Scotland) Act 1907 (c.51). Schedule 1 was substituted by S.I. 1993/1956 and last amended by S.S.I. 2020/166. Rule 5.4 was last amended by S.S.I. 2011/193.
(**c**) S.S.I. 2015/356, last amended by S.S.I. 2020/28.

## EXPLANATORY NOTE

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

This Act of Sederunt amends the tables of fees in schedule 1 of the Act of Sederunt (Fees of Messengers-at-Arms) (No. 2) 2002 and schedule 1 of the Act of Sederunt (Fees of Sheriff Officers) (No. 2) 2002. The amendments provide fees for messengers-at-arms and sheriff officers for the service of documents in Scotland under the Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters which was concluded on 15th November 1965 (commonly referred to as the "Hague Service Convention").

---

© Crown copyright 2020

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, the Queen's Printer for Scotland.

£4.90

S202012101004 12/2020 19585

http://www.legislation.gov.uk/id/ssi/2020/423

ISBN 978-0-11-104798-9

9 780111 047989