1970 No. 682 (S. 48)

COURT OF SESSION, SCOTLAND
Act of Sederunt (Rules of Court Amendment No. 3) 1970

Made - - -	1*st May* 1970
Coming into Operation	1*st June* 1970

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 2 of the Courts of Law Fees (Scotland) Act 1895**(a)** and section 16 of the Administration of Justice (Scotland) Act 1933**(b)** and of all other powers competent to them in that behalf, with the approval of the Treasury for the exercise of the said powers under section 2 of the Courts of Law Fees (Scotland) Act 1895**(a)**, do hereby enact and declare as follows:—

1. Section I of Rule 346 of the Rules of Court**(c)**, as applied by paragraph 2 of the Act of Sederunt (Rules of Court Amendment No. 3) 1969**(d)**, shall cease to have effect.

2. Rule 346 of the Rules of Court**(c)**, as substituted by paragraph 1(2) of the Act of Sederunt (Rules of Court Amendment No. 2) 1969**(e)**, shall be amended by the addition after Section H of a Section I as set forth in the Schedule annexed hereto.

3. This Act of Sederunt may be cited as the Act of Sederunt (Rules of Court Amendment No. 3) 1970, and shall come into operation on 1st June 1970.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

J. L. CLYDE

Edinburgh,
1st May 1970.

I.P.D.

SCHEDULE

I.—*ACCOUNTANT OF COURT'S DEPARTMENT*

I.—*In Factories and Curatories*

	£	s.	d.
1. For registering case and receiving and delivering up Bond of Caution:			
In Court of Session appointments	2	0	0
In Sheriff Court appointments	1	10	0
2. For examining factor's Inventory where estate:			
(*a*) does not exceed £500	1	0	0
(*b*) exceeds £500—for first £500	1	0	0
plus an additional fee of £1 for each further £1,000 or part thereof, but fee not to exceed £20			
3. For each search of the records		4	0
plus 6s. correspondence fee if applicable			

(a) 1895 c. 14. (b) 1933 c. 41. (c) S.I. 1965/321 (1965 I,p. 803).
(d) S.I. 1969/1702 (1969 III, p. 5359).
(e) S.I. 1969/475 (1969 I, p. 1362).

		£.	s.	d
4.	For auditing each Account:			
	(*a*) where factor's commissions is £4 or less, or where no commission is allowable	1	0	0
	(*b*) where factor's commission is above £4, the fee shall be ... plus 15 per cent on the factor's commission as fixed (or what would have been the factor's full commission if chargeable or fully allowed)	1	0	0
5.	For reporting *re* Discharge, Special Powers or on other special matters	1	0	0
			to	
		12	0	0
6.	For report on scheme of division ... ... plus £1 extra for each £1,000, or part thereof, to be divided amongst the preferable and ordinary creditors; but fee not to exceed £25	2	0	0
7.	For certificate under Seal		10	0

II.—*In Bankruptcies*

8.	For registering case, and related work	1	0	0
9.	For supervising proceedings in sequestration 1½ per cent on amount to be divided amongst preferable and ordinary creditors			
10.	For report on bankrupt's petition for discharge	2	0	0
11.	For concurrences in private sale of heritage, if £1,000 or under ... plus £1 extra for each additional £1,000 or part thereof, but not to exceed £12	2	0	0
12.	For special report	2	0	0
13.	For report on appeal against trustee's commission ... ... plus 2 per cent on the trustee's commission as fixed, but not to exceed £20	1	0	0
14.	For each inspection of sederunt book or search of the records... ... plus 6s. correspondence fee if applicable		4	0
15.	For auditing the accounts and fixing the commission of trustee under voluntary trust deed, 12½ per cent on commission allowed to trustee			
16.	For examining and issuing acknowledgment for sederunt book ...	3	0	0

III.—*In Consignations*

17.	For lodging Consignation		4	0
18.	For producing or delivering up ... ... plus 2s. for every £100 or part thereof uplifted, but not to exceed £3		4	0
19.	For examining Register ... ... plus 6s. correspondence fee if applicable		4	0

IV.—*Copying Fees*

20.	For photostats or other copies, each foolscap page		2	0

V.—*Liquidations*

21.	For receiving and uplifting Bond of Caution		10	0

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt prescribes a new table of Fee-fund Dues in the Department of the Accountant of Court.

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