STATUTORY INSTRUMENTS

1983 No. 1058 (S. 98)

SCOTTISH LAND COURT

The Scottish Land Court (Fees) Amendment Rules 1983

Made - - - -	12*th July* 1983
Coming into Operation	15*th August* 1983

The Scottish Land Court, in exercise of the powers conferred by section 29 of the Crofters Holdings (Scotland)Act 1886(**a**), and now vested in them(**b**), and by section 3(12) of the Small Landholders (Scotland) Act 1911(**c**) and of all other powers enabling them in that behalf, and with the approval of the Treasury, hereby make the following Rules:—

1. These Rules may be cited as the Scottish Land Court (Fees) Amendment Rules and shall come into operation on 15th August 1983.

2. For the Table of Fees contained in Appendix 1 to the Scottish Land Court Rules 1979(**d**) there shall be substituted the Table of Fees set out in the Schedule to these Rules.

3. The Scottish Land Court (Fees) Amendment Rules 1980(**e**) are hereby revoked.

Sealed with the Common Seal of the Scottish Land Court.

L.S.

W. A. Elliott,
A. Gillespie,
Duncan D. McDiarmid,
A. B. Campbell.

Scottish Land Court,
1 Grosvenor Crescent,
Edinburgh,
4th July 1983.

We approve,

Alistair Goodlad,
D. J. F. Hunt,
Two of the Lords Commissioners of
Her Majesty's Treasury.

12th July 1983.

(**a**) 1886 c. 29.
(**b**) By the Small Landholders (Scotland) Act 1911 (c. 49), section 28(1).
(**c**) 1911. c. 49.
(**d**) S.I. 1979/379, amended by S.I. 1980/1319.
(**e**) S.I. 1980/1319.

Rule 2

SCHEDULE

TABLE OF FEES CHARGEABLE BY AND PAYABLE TO THE COURT

Column (1)	Column (2) £ p	Column (3)(a) £ p
(1) *Small Landholders (Scotland) Acts 1886 to 1931, Crofters (Scotland) Acts 1955 and 1961(b) and Crofting Reform (Scotland) Act 1976(c)*		
(*a*) Application for a Record of a holding or a croft		
Principal Application (each Applicant)	10.00	(*3.00*)
For each Respondent	2.00	(*0.75*)
(*b*) Recording Agreements for loan by (1) the Department of Agriculture and fisheries for Scotland and (2) The Highlands and Islands Development Board		
Each Agreement	5.00	(*3.00*)
(*c*) Other Applications		
Principal Application (each crave)	4.00	(*2.00*)
When more than one Applicant (each Applicant)	4.00	(*2.00*)
For each Respondent	1.00	(*0.75*)
(*d*) Appeals and Motions for Rehearing		
Each Apellant, or Motioner	4.00	(—)
Each Respondent	1.00	(—)
(2) *Sheep Stocks Valuation (Scotland) Act 1937(d) and Hill Farming Act 1946(e)*		
(*a*) Valuation of sheep stocks		
Awards not exceeding £100	5.00	(*3.50*)
Awards exceeding £100:		
For the first £100 thereof	5.00	(*3.50*)
For every additional £100 or fractional part thereof	2.00	(*1.00*)
Where application dismissed or withdrawn before valuation	15.00	(*10.75*)
(*b*) Determination of questions under sections 5 and 39(b) of the Hill Farming Act 1946		
Principal Application	15.00	(*11.00*)
For each Respondent	5.00	(*3.00*)

(a) The sums in italics are the fees chargeable under the Scottish Land Court (Fees) Amendment Rules 1980 which are revoked by these Rules.
(b) 1955 c. 21 and 1961 c. 58. (c) 1976 c. 21.
(d) 1937 c. 34. (e) 1946 c. 73.

Column (1)	Column (2) £ p	Column (3) £ p
(3) *Agriculture (Scotland) Act 1948(a), Agricultural Holdings (Scotland) Act 1949(b), Agriculture Act 1958(c), Agriculture (Miscellaneous Provisions) Act 1968(d) and Agriculture Holdings (Amendment) (Scotland) Act 1983(e)*		
(*a*) Arbitrations as to rents		
Rental as fixed by Court, not exceeding £50	10.00	(*4.25*)
Rental as fixed by Court, exceeding £50 but not exceeding £100	10.00	(*8.50*)
Rental, as fixed by Court exceeding £100:		
For the first £100 thereof	10.00	(*8.50*)
For every additional £100 or fractional part thereof	5.00	(*3.50*)
Where Application dismissed or withdrawn before compensation fixed	15.00	(*10.75*)
(*b*) Claims for compensation		
Awards not exceeding £50	10.00	(*4.25*)
Awards exceeding £50 but not exceeding £100	10.00	(*8.50*)
Awards exceeding £100:		
For the first £100 thereof	10.00	(*8.50*)
For every additional £100 or fractional part thereof	5.00	(*3.50*)
Where Application dismissed or withdrawn before compensation fixed	15.00	(*10.75*)
(*c*) Other Applications		
Principal Application (each crave)	25.00	(*11.00*)
When more than one Applicant (each Applicant)	25.00	(*11.00*)
For each Respondent	10.00	(*3.00*)
(*d*) Hearings		
For every day the Court sits beyond the first day of hearing	35.00	(—)
(4) *Miscellaneous*		
(*a*) Appeals and Motions for Rehearing		
Each Appellant, or Motioner for Rehearing	20.00	(*3.00*)
(*b*) For making a copy or copies of the Principal Application or any part of it, or any Order in it, or any original deed, writ, or document in process:		
For each sheet	0.70	(*0.50*)
For certifying such copy	3.00	(*2.00*)

(a) 1948 c. 45. (b) 1949 c. 75. (c) 1958 c. 71.
(d) 1968 c. 34. (e) 1983 c. 46.

Column (1)	Column (2) £ p	Column (3) £ p
(*c*) Applications not otherwise specified		
Principal application (each crave)	15.00	(*11.00*)
When more than one Applicant (each Applicant)	15.00	(*11.00*)
For each Respondent	5.00	(*5.00*)

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules increase the fees payable in respect of applications to the Scottish Land Court and make provisions for new fees in respect of court hearings, appeals and rehearings. They also revoke the Scottish Land Court (Fees) Amendment Rules 1980.

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