SCOTTISH STATUTORY INSTRUMENTS

2026 No. 79

SHERIFF APPEAL COURT

The Sheriff Appeal Court Fees Order 2026

Made - - - -	*11th February 2026*
Laid before the Scottish Parliament	*13th February 2026*
Coming into force - -	*1st April 2026*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 107(1) and (2) of the Courts Reform (Scotland) Act 2014(**a**) and all other powers enabling them to do so.

Citation, commencement, effect and interpretation

1.—(1) This Order may be cited as the Sheriff Appeal Court Fees Order 2026 and, subject to paragraph (2), comes into force on 1 April 2026.

(2) Article 2(1)(b) and schedule 2 take effect, and article 2(1)(a) and schedule 1 cease to have effect, on 1 April 2027.

(3) In this Order, unless otherwise specified, reference to a rule is a reference to the rule in the Act of Sederunt (Sheriff Appeal Court Rules) 2021(**b**) bearing that number.

Fees payable in the Sheriff Appeal Court

2.—(1) Subject to paragraph (3) and articles 3 to 6—

(a) the fees payable in the Sheriff Appeal Court in respect of the matters specified in column 1 of the Table of Fees in schedule 1 (table of fees payable from 1 April 2026) are the fees specified in relation to those matters in column 2 of that table, and

(b) the fees payable in the Sheriff Appeal Court in respect of the matters specified in column 1 of the Table of Fees in schedule 2 (table of fees payable from 1 April 2027) are the fees specified in relation to those matters in column 2 of that table.

(2) The fees payable under this Order are to be paid to the Clerk of the Sheriff Appeal Court, any officer acting for the Clerk or the auditor of the Sheriff Appeal Court.

(3) The fees provided for by this Order are not payable by the Crown in the enforcement of the criminal law or in the exercise of powers or the performance of duties arising out of or relating to that enforcement.

(**a**) 2014 asp 18. The definition of "relevant officer" in section 107(3) was relevantly amended by S.S.I. 2016/387.
(**b**) S.S.I. 2021/468, as last amended by S.S.I. 2024/353.

(4) No act is required of the Clerk of the Sheriff Appeal Court, any officer acting for the Clerk or the auditor of the Sheriff Appeal Court in connection with a matter specified in relation to any fee prior to—

(a) the payment of that fee, or

(b) an arrangement being entered into for payment of that fee.

Exemptions of certain persons from fees: legal aid

3.—(1) A fee specified by this Order is not payable by a person if—

(a) the person is in receipt of civil legal aid within the meaning of section 13(2) of the 1986 Act(**a**) in respect of the matter in the Table of Fees in schedule 1 or 2 in connection with which the fee is payable,

(b) the fee is payable in connection with a simplified divorce or dissolution of a civil partnership application and the person is in receipt of advice and assistance from a solicitor under the 1986 Act in respect of that application, or

(c) the person's solicitor is undertaking work in relation to the matter in the Table of Fees in schedule 1 or 2 in connection with which the fee is payable on the basis of any regulations made under section 36(1) of the 1986 Act providing for legal aid in a matter of special urgency.

(2) In this article, "the 1986 Act" means the Legal Aid (Scotland) Act 1986(**b**).

Exemption of certain persons from fees: social security

4.—(1) A fee specified by this Order is not payable by a person if—

(a) the person or the person's partner is in receipt of income support under the Social Security Contributions and Benefits Act 1992(**c**),

(b) the person is in receipt of an income-based jobseeker's allowance under the Jobseekers Act 1995(**d**),

(c) the person or the person's partner is in receipt of guarantee credit under the State Pension Credit Act 2002(**e**),

(d) the person or the person's partner is in receipt of income-related employment and support allowance under the Welfare Reform Act 2007(**f**),

(e) the person is in receipt of universal credit under Part 1 of the 2012 Act(**g**),

(f) the person is in receipt of either—

(**a**) 1986 c. 47. Section 13(2) was amended by paragraph 36 of schedule 8 and schedule 9 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40).

(**b**) 1986 c. 47.

(**c**) 1992 c. 4. Section 124, which provides for income support, was amended by paragraph 30 of schedule 2 and schedule 3 of the Jobseekers Act 1995 (c. 18), paragraph 28 of schedule 8 of the Welfare Reform and Pensions Act 1999 (c. 30), paragraph 2 of schedule 2 and schedule 3 of the State Pension Credit Act 2002 (c. 16), paragraph 42 of schedule 24 of the Civil Partnership Act 2004 (c. 33), paragraph 9 of schedule 3 and schedule 8 of the Welfare Reform Act 2007 (c. 5), section 3 of the Welfare Reform Act 2009 (c. 24), and section 58 and schedule 14 of the Welfare Reform Act 2012 (c. 5).

(**d**) 1995 c. 18. Section 1, which provides for jobseeker's allowance, was amended by paragraph 2 of schedule 7 and schedule 13 of the Welfare Reform and Pensions Act 1999 (c. 30), paragraph 118 of schedule 24 of the Civil Partnership Act 2004 (c. 33), paragraph 12 of schedule 3 of the Welfare Reform Act 2007 (c. 5), and sections 44 and 49 and schedule 14 of the Welfare Reform Act 2012 (c. 5).

(**e**) 2002 c. 16.

(**f**) 2007 c. 5. Section 1, which provides for employment and support allowance, was amended by sections 50, 52 and 54, paragraph 23 of schedule 3 and schedule 14 of the Welfare Reform Act 2012 (c. 5), and S.I. 2025/1148.

(**g**) 2012 c. 5.

(i) personal independence payment under Part 4 of the 2012 Act(**a**), or

(ii) adult disability payment within the meaning given in regulation 2 of the Disability Assistance for Working Age People (Scotland) Regulations 2022(**b**),

provided that the person's gross annual income is £26,437 or less, or

(g) the person or the person's partner has, within the period of 3 months prior to the date the specified fee would be payable but for this exemption, received financial or other assistance under the Welfare Funds (Scotland) Act 2015(**c**).

(2) In this article—

"the 2012 Act" means the Welfare Reform Act 2012(**d**),

"partner" means a person to whom a person is married or with whom the person is in a civil partnership.

Exemptions relating to particular proceedings

5.—(1) The fees provided for by this Order do not apply to any appeal to the Sheriff Appeal Court under or by virtue of the Children's Hearings (Scotland) Act 2011(**e**).

(2) The fees provided for by this Order do not apply to a debtor or creditor in any appeal to the Sheriff Appeal Court under the Debtors (Scotland) Act 1987(**f**) or the Debt Arrangement and Attachment (Scotland) Act 2002(**g**).

Exemptions for applicants for certain interdicts and orders

6. The fees provided for by this Order are not payable by the applicant in any appeal in connection with proceedings in respect of which the applicant would not be required to pay fees in the sheriff court by virtue of article 13(1) of the Sheriff Court Fees Order 2026(**h**) (exemptions for applicants for certain interdicts and orders).

Revocation

7. The following instruments are revoked—

(a) the Sheriff Appeal Court Fees Order 2024(**i**), and

(b) the Sheriff Appeal Court Fees Amendment Order 2025(**j**).

SIOBHIAN BROWN
Authorised to sign by the Scottish Ministers

St Andrew's House
Edinburgh
11th February 2026

(**a**) Section 77, which provides for the personal independence payment, was amended by S.I. 2021/804, S.I. 2022/335, S.I. 2024/1048 and S.I. 2025/224.
(**b**) S.S.I. 2022/54.
(**c**) 2015 asp 5.
(**d**) 2012 c. 5.
(**e**) 2011 asp 1.
(**f**) 1987 c. 18.
(**g**) 2002 asp 17.
(**h**) S.S.I. 2026/74.
(**i**) S.S.I. 2024/236.
(**j**) S.S.I. 2025/9.

SCHEDULE 1

Article 2(1)(a)

Table of Fees

Payable from 1 April 2026

Column 1 *(Matters)*	*Column 2* *(Fee Payable)* £	*Column 3* *(Fee Formerly Payable)*(**a**) £
1. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute. (Note: Where a minute is accompanied by a relevant written motion no fee is payable in respect of lodging the motion.)	63	61
2. Fixing of a hearing— (a) under rule 7.9(3)(a) (procedure before three appeal sheriffs), (b) under rule 8.2(1)(a) (procedure before one appeal sheriff), (c) under rule 29.13(3)(a) (application for new jury trial), (d) under rule 30.2(2) (appeals from summary causes), (e) under rule 16.4(1) of the Simple Procedure Rules(**b**) (appeal from simple procedure case). (Note: Fee is only payable by the appellant or applicant in an appeal, and only by the respondent in a cross-appeal.)	69 69 69 69 69	67 67 67 67 67
3. Lodging— (a) an appeal in a cause other than a summary cause or simple procedure case, (b) a cross-appeal under rule 6.6, (c) an application under sections 69 or 71 of the Courts Reform (Scotland) Act 2014, (d) an application for permission to appeal to the Court of Session under section 113 of the Courts Reform (Scotland) Act 2014.	143 143 143 143	139 139 139 139
4. Hearing fee per day or part thereof (bench of 1) for hearings— (a) under rule 7.9(3)(a) (procedure before three appeal sheriffs),	292 292	283 283

(**a**) Column 3 shows the fees payable by virtue of the schedule of S.S.I. 2024/236 immediately before the coming into force of this schedule.

(**b**) The Simple Procedure Rules are in schedule 1 of S.S.I. 2016/200, as last amended by S.S.I. 2024/353.

(b) under rule 8.2(1)(a) (procedure before one appeal sheriff), (c) under rule 29.13(3)(a) (application for a new jury trial), (d) under rule 30.2(2) (appeals from summary causes), (e) under rule 16.4(1) of the Simple Procedure Rules (appeal from simple procedure case).	292 292 292	283 283 283
5. Hearing fee per day or part thereof (bench of 3 or more) for hearings— (a) under rule 7.9(3)(a) (procedure before three appeal sheriffs), (b) under rule 8.2(1)(a) (procedure before one appeal sheriff), (c) under rule 29.13(3)(a) (application for a new jury trial), (d) under rule 30.2(2) (appeals from summary causes), (e) under rule 16.4(1) of the Simple Procedure Rules (appeal from simple procedure case).	727 727 727 727 727	706 706 706 706 706
6. Recording, engrossing, printing or copying of all documents (exclusive of search fee)— (a) by photocopying or otherwise producing a printed or typed copy— (i) each document, up to 10 pages, (ii) each further page or part thereof in excess of 10 pages, (b) for a copy of each document in electronic form.	 9 0.5 9	 8 0.5 8
7. Any search of records or archives, per 30 minutes or part thereof. In addition, correspondence fee where applicable.	16 16	15 15
8. Taxing accounts of expenses incurred in judicial proceedings remitted to the auditor of court for taxation— (a) lodging account for taxation, (b) taxing accounts of expenses etc.— (i) up to £400, (ii) for every additional £100 or part thereof. (Note: Fee to be determined by auditor of court on amount of account as submitted) (c) cancellation of diet of taxation— (i) where written notice of cancellation received from receiving party after 4.00 pm on the fourth working day before the day of diet of taxation, (ii) where written notice of cancellation received from receiving party after 4.00 pm on the second working day before the day of the diet of taxation.	 56 25 6 50% of fee that would have been payable under sub-paragraph (b) of this paragraph 75% of fee that would have been payable under sub-paragraph (b) of this paragraph	 54 24 6 50% of fee that would have been payable under sub-paragraph (b) of this paragraph 75% of fee that would have been payable under sub-paragraph (b) of this paragraph

SCHEDULE 2

Article 2(1)(b)

Table of Fees

Payable from 1 April 2027

Column 1 *(Matters)*	*Column 2* *(Fees Payable)* £	*Column 3* *(Fees Formerly Payable)*(**a**) £
1. Lodging of a written motion or minute and the lodging of any written opposition to any such motion or minute. (Note: Where a minute is accompanied by a relevant written motion no fee is payable in respect of lodging the motion.)	65	63
2. Fixing of a hearing—		
(a) under rule 7.9(3)(a) (procedure before three appeal sheriffs),	71	69
(b) under rule 8.2(1)(a) (procedure before one appeal sheriff),	71	69
(c) under rule 29.13(3)(a) (application for a new jury trial),	71	69
(d) under rule 30.2(2),	71	69
(e) under rule 16.4(1) of the Simple Procedure Rules (appeal from simple procedure case). Note: Fee is only payable by the appellant or applicant in an appeal, and only by the respondent in a cross-appeal.	71	69
3. Lodging—		
(a) an appeal in a cause other than a summary cause or simple procedure case,	148	143
(b) a cross-appeal under rule 6.6,	148	143
(c) an application under sections 69 or 71 of the Courts Reform (Scotland) Act 2014,	148	143
(d) an application for permission to appeal to the Court of Session under section 113 of the Courts Reform (Scotland) Act 2014.	148	143
4. Hearing fee per day or part thereof (bench of 1) for hearings—		
(a) under rule 7.9(3)(a) (procedure before three appeal sheriffs),	300	292
(b) under rule 8.2(1)(a) (procedure before one appeal sheriff),	300	292
(c) under rule 29.13(3)(a) (application for a new jury trial),	300	292
(d) under rule 30.2(2) (appeals from summary causes),	300	292

(**a**) Column 3 shows the fees which were payable by virtue of schedule 1 of this Order immediately before the coming into force of this schedule.

(e) under rule 16.4(1) of the Simple Procedure Rules (appeal from simple procedure case).	300	292
5. Hearing fee per day or part thereof (bench of 3) for hearings—		
(a) under rule 7.9(3)(a) (procedure before three appeal sheriffs),	749	727
(b) under rule 8.2(1)(a) (procedure before one appeal sheriff),	749	727
(c) under rule 29.13(3)(a) (application for a new jury trial),	749	727
(d) under rule 30.2(2) (appeals from summary causes),	749	727
(e) under rule 16.4(1) of the Simple Procedure Rules (appeal from simple procedure case).	749	727
6. Recording, engrossing, printing or copying of all documents (exclusive of search fee)—		
(a) by photocopying or otherwise producing a printed or typed copy—		
(i) each document, up to 10 pages,	9	9
(ii) each further page or part thereof in excess of 10 pages,	1	0.5
(b) for a copy of each document in electronic form.	9	9
7. Any search of records or archives, per 30 minutes or part thereof. In addition, correspondence fee where applicable.	16	16
8. Taxing accounts of expenses incurred in judicial proceedings remitted to the auditor of court for taxation—		
(a) lodging account for taxation,	57	56
(b) taxing accounts of expenses etc.—		
(i) up to £400,	26	25
(ii) for every additional £100 or part thereof. (Note: Fee to be determined by auditor of court on amount of account as submitted)	6	6
(c) cancellation of diet of taxation—		
(i) where written notice of cancellation received from receiving party after 4.00 pm on the fourth working day before the day of diet of taxation,	50% of fee that would have been payable under sub-paragraph (b) of this paragraph	50% of fee that would have been payable under sub-paragraph (b) of this paragraph
(ii) where written notice of cancellation received from receiving party after 4.00 pm on the second working day before the day of the diet of taxation.	75% of fee that would have been payable under sub-paragraph (b) of this paragraph	75% of fee that would have been payable under sub-paragraph (b) of this paragraph

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the fees payable from 1 April 2026 in the Sheriff Appeal Court, to the Clerk of the Sheriff Appeal Court, any officer acting for the Clerk, or the auditor of the Sheriff Appeal Court.

Article 2 and schedules 1 and 2 specify fee levels payable in respect of certain matters—

- the fee levels from 1 April 2026 until 31 March 2007 are given effect by the Table of Fees in schedule 1,
- the fee levels from 1 April 2027 onwards are given effect by the Table of Fees in schedule 2.

Article 2(3) provides that fees are not to be payable by the Crown in the enforcement of the criminal law or in the exercise of powers or the performance of duties arising out of or relating to that enforcement.

Article 2(4) provides that the Clerk of the Sheriff Appeal Court, any officer acting for the Clerk or the auditor of the Sheriff Appeal Court is not required to do any act in connection with the matter specified in relation to that fee without either prior payment of the fee or entering into an arrangement for payment of the fee.

Articles 3 and 4 exempt certain persons from payment of fees.

Article 5 exempts appeal proceedings under the Children's Hearings (Scotland) Act 2011, the Debtors (Scotland) Act 1987 and the Debt Arrangement and Attachment (Scotland) Act 2002 from payment of fees.

Article 6 exempts appeals as regards applications for certain interdicts and orders.

Article 7 revokes the Sheriff Appeal Court Fees Order 2024, and an instrument which amended that Order.

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