STATUTORY INSTRUMENTS

1962 No. 2417

SHERIFF, ENGLAND

The Sheriffs' Fees (Amendment) Order 1962

Made - - - - 31*st October* 1962
Coming into Operation 26*th November* 1962

I, Reginald Edward, Baron Dilhorne, Lord High Chancellor of Great Britain, with the advice and consent of the undersigned Judges of the Court of Appeal and the High Court, and with the concurrence of the Treasury, do hereby make the following Order in exercise of the powers conferred on me by section 20 (2) of the Sheriffs Act 1887(a):—

1. The following paragraph shall be substituted for paragraph 8 of the Schedule to the Order made under section 20 (2) of the Sheriffs Act 1887 and dated the 8th July 1920(b):—

"8. *For sale or preparation for sale by auction.*

(1) *When sale by auction takes place.*

(*a*) Where the sale is held on the auctioneer's premises, for commission to the auctioneer, an inclusive charge to include all out-of-pocket expenses except costs of removal:—

	£	s.	d.	
On the first £100	15	0	0	per cent.
On the next £900	12	10	0	„ „
Above £1,000	10	0	0	„ „

(*b*) Where the sale is held on the debtor's premises, for commission to the auctioneer, in addition to out-of-pocket expenses actually and reasonably incurred, 7½ per cent. on the sum realised.

(2) *When no sale takes place either by auction or by private contract.*

(*a*) Where the goods have been removed to the auctioneer's premises, for commission to the auctioneer, an inclusive charge of 10 per cent. of the value of goods, to include all out-of-pocket expenses except costs of removal.

(*b*) Where the goods have not been removed from the debtor's premises but work has been done in preparation for sale, for commission to the auctioneer, in addition to out-of-pocket expenses actually and reasonably incurred, 5 per cent. of the value of the goods."

(a) 50 & 51 Vict. c. 55. (b) S.R. & O. 1920/1250 (Rev. XX, p. 734: 1920 II, p. 673).

2. This Order may be cited as the Sheriffs' Fees (Amendment) Order 1962 and shall come into operation on the 26th November 1962.

Dated the 31st October 1962.

Dilhorne, C.
Parker of Waddington, C.J.
Denning, M.R.
J. E. S. Simon, P.

We concur.

Francis F. Pearson,
M. A. Hamilton,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order increases the charges which may be made in respect of work done by auctioneers in connection with sales under writs of fieri facias and provides that, where the goods for sale are removed to the auctioneers' premises, the charge shall include out-of-pocket expenses.