(2) Until sections one to three of the Lands Tribunal Act, 1949, come into force as respects Scotland references in this Regulation to the Lands Tribunal for Scotland shall be construed as references to an official arbiter appointed under the Acquisition of Land (Assessment of Compensation) Act, 1919.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
13th April, 1953.

We consent,

Herbert Butcher,
Hendrie D. Oakshott,
Two of the Lords Commissioners of Her Majesty's Treasury.

14th April, 1953.

EXPLANATORY NOTE

(This Note is not part of these regulations, but is intended to indicate their general purport.)

These regulations effect minor alterations in the Town and Country Planning (Minerals) (Scotland) Regulations, 1948 and 1949, by widening the context in which mining operations can be regarded as a use of land under the Act. They also re-enact with amendments the provisions of the 1948 Regulations relating to compensation for abortive expenditure; these amended provisions apply (with certain modifications) the provisions of section 76 of the Town and Country Planning (Scotland) Act, 1947, to applications made at any time for the resumption or continuance of mining operations in progress on or after 7th January, 1937, except to the extent that these operations were carried on in contravention of planning control. The regulations further revoke the provisions of the 1948 Regulations setting up a special tribunal to vary in certain cases the royalty or other payment to be made under a mining lease.

TOWN CLERKS, SCOTLAND

1953 No. 1776 (S. 118)

Act of Sederunt (Fees of Town Clerks and Clerks of the Peace), 1953

Made - - - - 22*nd July*, 1953
Coming into Operation 16*th December*, 1953

The Lords of Council and Session, in respect that an application has been made to them by the Lord Advocate under subsection (3) of section twenty-seven of the Licensing (Scotland) Act, 1903(**a**), as extended by paragraph (*c*) of section eighteen of the Moneylenders Act, 1927(**b**), representing that the

(a) 3 Edw. 7. c. 25. (b) 17 & 18 Geo. 5. c. 21.

fees payable to town clerks and clerks of the peace for work done by them as prescribed by C.A.S., M.V., 1 and 2, and Schedules A and B(a), as amended by Acts of Sederunt dated 29th October, 1946(b), and by an Act of Sederunt dated 20th May, 1947(c), (other than the fees prescribed in paragraphs 2, 3 and 4 of Part I of the said Schedule B as so amended), and the fees payable to town clerks and clerks of the peace for work done by them under the said Act of 1927, as prescribed by an Act of Sederunt dated 5th November, 1927(d), as amended by the said Acts of Sederunt dated 29th October, 1946, are inadequate and should be increased, having considered the said application and finding an increase justified, in exercise of the powers conferred on them by subsection (3) of the said section twenty-seven as so extended and of all other powers enabling them in that behalf, do hereby enact as follows:—

1. The fees payable to a town clerk for anything done under the Licensing (Scotland) Act, 1903, shall be those prescribed in Part I of Schedule A hereto.

2. The fees payable to a town clerk for anything done under the Moneylenders Act, 1927, shall be those prescribed in Part II of Schedule A hereto.

3. The fees payable to a clerk of the peace for anything done under the Licensing (Scotland) Act, 1903, or the Moneylenders Act, 1927, and in respect of certain other work specified in Schedule B hereto, shall be those prescribed in that Schedule.

4. Section 1, section 2 (except in so far as relating to the fees prescribed in paragraphs 2, 3 and 4 of Part I of Schedule B), Schedule A and Schedule B (except paragraphs 2, 3 and 4 of Part I thereof) of C.A.S., M.V., the Act of Sederunt dated 5th November, 1927, the Act of Sederunt dated 29th October, 1946, relating to fees payable to clerks of the peace (except in so far as relating to the fees prescribed in paragraphs 2, 3 and 4 of Part I of Schedule B aforesaid), the Act of Sederunt dated 29th October, 1946, relating to fees payable to town clerks, and the Act of Sederunt dated 20th May, 1947 (except in so far as relating to the fees prescribed in the said paragraphs), are hereby repealed.

5. This Act of Sederunt may be cited as the Act of Sederunt (Fees of Town Clerks and Clerks of the Peace) 1953, and shall come into operation on 16th December, 1953.

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

T. M. Cooper,
I.P.D.

Edinburgh,
22nd July, 1953.

(a) S.R. & O. 1913/638; Rev. XX, p. 823; 1913 II, p. 2242.
(b) S.R. & O. 1946/1780; Rev. XX, p. 898; 1946 I, p. 133.
S.R. & O. 1946/1781; Rev. XX, p. 899; 1946 I, p. 1666.
(c) S.R. & O. 1947/1014; Rev. XX, p. 900; 1947 I, p. 241.
(d) S.R. & O. 1927/1072; Rev. XX, p. 872; 1927, p. 838.

SCHEDULE A

PART I

TABLE OF FEES PAYABLE TO TOWN CLERKS UNDER THE LICENSING (SCOTLAND) ACT, 1903

	Fee £ s. d.
1. Each printed copy of form of application for certificate of a public-house, inn, etc.	– 1 6
2. Lodging application for certificate or for renewal for inn, hotel, public-house, etc.	– 16 3
3. Lodging application by executors, representatives, or disponees of a deceased applicant, under section 33	– 8 –
4. Inspection of applications, or Register of Applications, for certificates, for each hour or part of an hour	– 3 3
5. Lodging application for transfer of certificate of inn, hotel, public-house, etc.	– 16 3
6. Lodging plans	– 8 –
7. Lodging objections	– 16 3
If proof led—each party before commencement of proof ...	– 16 3
8. Certificate of an inn, hotel, public-house, etc., or renewal	– 10 –
9. Transfer certificate	– 10 –
10. Duplicate certificate	– 3 3
11. Special permission	– 16 3
12. Lists for Inland Revenue of names of persons to whom certificates have been granted—	
If not more than 25 names	– 8 –
For each name beyond 25	– – 3

PART II

TABLE OF FEES PAYABLE TO TOWN CLERKS UNDER THE MONEYLENDERS ACT, 1927

1. Each printed copy of Form of Application for certificate	– 2 6
2. Lodging application for certificate	1 4 –
3. Inspection of Applications or Register of Applications for Certificates for each hour or part of an hour	– 5 –
4. Lodging objections	1 4 –
If proof led—each party before commencement of proof ...	1 4 –
5. Certificate, or renewal	– 14 6
6. Duplicate Certificate	– 5 –

SCHEDULE B

TABLE OF FEES PAYABLE TO CLERKS OF THE PEACE FOR WORK DONE UNDER THE LICENSING (SCOTLAND) ACT, 1903, THE MONEYLENDERS ACT, 1927, AND CERTAIN OTHER ENACTMENTS

PART I

Fees payable to Clerks of the Peace by Applicants for Licences or others

1. *Licences*

(*a*) Licensing (Scotland) Act, 1903

	Fee £ s. d.
1. Each printed copy of form of application for certificate of a public-house, inn, etc.	– 1 6
2. Lodging application for certificates, or for renewal for inn, hotel, public-house, etc.	– 16 3
3. Lodging application by executors, representatives, or disponees of a deceased applicant, under section 33	– 8 –

	Fee £ s. d.
4. Inspection of applications, or Register of Applications, for certificates —for each hour or part of an hour	– 3 3
5. Lodging application for transfer of certificate of inn, hotel, public-house, etc.	– 16 3
6. Lodging plans	– 8 –
7. Lodging objections...	– 16 3
If proof led, either in a Licensing Court or a Court of Appeal—each party before commencement of proof	– 16 3
8. Certificate of an inn, hotel public-house, etc., or renewal	– 10 –
9. Transfer Certificate...	– 10 –
10. Duplicate certificate	– 3 –
11. Special permission	– 16 3
12. Lodging appeal to the Licensing Appeal Court or Quarter Sessions, and finding caution	– 16 3
13. Hearing and deciding appeal	– 16 3
14. Confirmation	1 4 –
15. Lists for Inland Revenue of names of persons to whom certificates have been granted:—	
If not more than 25 names	– 8 –
For each name beyond 25	– – 3
(b) Moneylenders Act, 1927	
1. Each printed copy of Form of Application for Certificate	– 2 6
2. Lodging application for certificate	1 4 –
3. Inspection of Application or Register of Applications for Certificates for each hour or part of an hour	– 5 –
4. Lodging objections...	1 4 –
If proof led either in a Licensing Court or Court of Appeal—each party before commencement of proof	1 4 –
5. Certificate, or renewal	– 14 6
6. Duplicate Certificate	– 5 –
7. Lodging Appeal	2 8 9
(c) Licences to deal in Game	
1. Application for certificate or renewal	– 8 –
2. Certificate or renewal	– 8 –
3. Inspection of Register	– 3 3
(d) Pawnbrokers' Licences	
1. Lodging application for certificate or renewal	– 16 3
2. Certificate or renewal	– 10 –
2. *Proceedings under the Army Act*	
1. Attestation of a recruit	– 3 3
2. Warrant for impressment of carriages	– 3 3
3. Descriptive return of a deserter	– 6 6
4. Warrant of committal	– 3 3
5. Certificate of conviction or acquittal	– 10 –
3. *Miscellaneous*	
1. Order of detention in Approved School	– 3 3
2. Each Justice of the Peace on qualifying	– 16 3
3. Warrant for recovery of rates	– 10 –
4. Judicial or other bonds of caution not otherwise provided for ...	– 16 3
5. Affidavit—if printed form	– 3 3
6. Drawing affidavit, per sheet	– 19 6
7. Certifying foreign affidavits	– 3 3

PART II

Fees payable to Clerks of the Peace by County Councils, or Town Councils of Counties or Cities

	Fee £ s. d.
1. Framing circulars calling meetings of Quarter Sessions or Special General Sessions or Committees of Justices when the said Committees are summoned for the despatch of administrative business, except the disposal of applications for licences, including instructing printer, addressing, and despatching:—	
For the first 50	1 1 8
For each 50 after the first 50	– 16 3
2. Attendance at any meeting of Quarter Sessions or Special General Sessions or any meeting of Committees of the Justices when met for the purpose of despatching administrative business, except the disposal of applications for licences	5 – –
3. Attendance at any meeting of a Licensing Court, under the Licensing (Scotland) Act, 1903, or any Committee thereof, when met for the purpose of making byelaws or regulations or despatching business other than the disposal of applications for licences	5 – –
4. Drawing and engrossing minutes of the meetings specified in Nos. 2 and 3, per sheet	1 4 –
5. Drawing byelaws and regulations under the Licensing (Scotland) Act, 1903, per sheet	1 4 –
6. Advertisements and public notices:—	
(1) Framing, per sheet	– 16 3
(2) Ordering insertion in newspapers, each newspaper	– 8 –
7. Framing returns required by the Judicial Statistics Department:— Small Debt Act, 1825, and Licensing (Scotland) Act, 1903:—	
For the first 100 cases or licences	1 12 6
For each 100 thereafter up to 500	– 8 –
For each 100 after 500	– 3 3
8. All other returns, per sheet	– 19 6
9. Each necessary letter	– 8 –
10. Copying, per sheet	– 5 –

PART III

Fees payable to Clerks of the Peace as Clerks of the Courts of Appeal under the Licensing (Scotland) Act, 1903, by the Town Councils of every Royal, Parliamentary, or Police Burgh containing a population of or exceeding 20,000

1. Drawing regulations and engrossing in Minute Book, per sheet ...	1 4 –
2. Each necessary letter	– 8 –
3. Copying, per sheet	– 5 –

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt but is intended to indicate its general purport.)

This Act of Sederunt prescribes new tables of fees to be payable to town clerks in respect of work done by them under the Licensing (Scotland) Act, 1903, or under the Moneylenders Act, 1927, and to clerks of the peace in respect of work done by them under either of the said Acts and in respect of certain other work done by them. The Act of Sederunt also repeals in part certain existing Acts of Sederunt prescribing fees payable to town clerks and clerks of the peace.