1977 No. 73 (S.16)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Fees in Court of Teinds) 1977

Made - - - -	14*th January* 1977
Coming into Operation	7*th February* 1977

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 11(3) of the Church of Scotland (Property and Endowments) Act 1925**(b)** and of all powers competent to them in that behalf, do hereby, with the approval of the Treasury, enact and declare:—

Citation, commencement and interpretation

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Fees in the Court of Teinds) 1977 and shall come into operation on 7th February 1977.

(2) The Interpretation Act 1889**(c)** applies to the interpretation of this Act of Sederunt as it applies to the interpretation of an Act of Parliament.

Amendment of Fees

2. The fees specified in the right-hand column of the Schedule to this Act of Sederunt are the fees payable to the Clerk of Teinds in respect of the matters specified opposite them in the left-hand column of the Schedule, and are so payable from the date this Act of Sederunt comes into operation.

Revocation

3. The Act of Sederunt (Fees in Court of Teinds) 1975**(d)** is revoked.

Edinburgh.
14th January 1977.

G. C. Emslie,
I.P.D.

SCHEDULE

Table of Fees

1. Original petition	£10.00
2. Answers to original petition	£10.00
3. Reports by accountants, men of business, or persons of skill, under remits by the Court	£ 2.00

(a) 1895 c. 14.
(b) 1925 c. 33.
(c) 1889 c. 63.
(d) S.I. 1975/1849 (1975 III, p. 6973).

4. Framing teinds rolls apportionment of expenses among heritors, amending teind rolls or making alterations under order from the Court—

For first ten calculations	£ 5.00
For each calculation thereafter	£ 0.20
In addition for each sheet of writing	£ 0.75

Note—The printing of the teind rolls will be undertaken by HM Stationery Office, and the cost (including the cost of copies for distribution), which will be additional to the above fees, will be payable therewith to the Clerk of Teinds, who shall collect same on behalf of HM Stationery Office.

5. Making (and converting from Imperial to Standard) statutory list of fiars' prices and certifying same, vide Act 1808. For each kind of grain .. .. £ 0.50

6. Extract and record copy of ordinary copying, per sheet .. .. £ 0.50

7. Certificate of valuation £10.00

8. Extract of decree in foro.. .. .. £ 6.00

9. Every other step or pleading not here enumerated .. .. .. £ 2.00

10. Making up from official returns of fiars' prices 1873-1922 an "average value" of victual, certifying and intimating same vide 2nd Schedule, 15 and 16 Geo. V c. 33. For each kind of victual .. .. .. £ 2.00

11. Making (and converting from Imperial to Standard) list of fiars' prices and certifying same vide 4th Schedule, 15 & 16 Geo. V.c.33. For each kind of victual .. .. £ 0.50

12. Entry in teind roll of redemption of standard charge .. .. £ 1.00

13. Entry in teind roll of change of ownership of lands over which a standard charge has been constituted .. .. £ 1.00

14. Entry in teind roll of allocation of standard charge—

(*a*) In respect of first five entries	£ 0.75
(*b*) In respect of each additional entry	£ 0.15

15. Excerpt from teind roll, per sheet figs .. .. £ 1.00

16. Valuation of Teinds—

Lodging valuer's certificate..	£ 2.00
Note of Appeal to Lord Ordinary..	£ 5.00
Objections, Defences, or Answers thereto, if first step by party Registration of valuer's certificate, and issuing certificate of valuation (same charge as certificates of valuation No. 17) ..	£ 5.00

17. Delivering to the General Trustees under any order of Scottish Ecclesiastical Commissioners so far as in the custody of Clerk of Teinds—

(*a*) titles to church and manse and any securities for the endowment of stipend of any parish contained in the 8th Schedule of the Act 15 & 16 Geo. V. c.33,

(*b*) title to church and manse contained in the 9th Schedule of the Act 15 & 16 Geo. V. c.33,

(*c*) title to church and manse contained in the 10th Schedule of the Act 15 & 16 Geo. V. c.33,

(*d*) any securities for investments representing the price or consideration received for any glebe or part thereof sold under section 17th of the Glebe Lands (Scotland) Act, 1866.

Fees for delivery under each order, and checking receipt therefor, including searching records .. .. £ 2.00

18. Certified copy of any other document	£ 1.00
19. Copying—all documents	
(*a*) By manuscript or typescript per page of 250 words.. ..	£ 0.75
(*b*) By duplicating per copy page of 250 words	£ 0.30 first page
(*c*) By photocopying per copy page	£ 0.05 subsequent pages
20. Searches—for any search of records or archives—	
(*a*) Involving one half hour of time	£ 0.75
(*b*) Involving more than one half hour of time	£ 3.00
(*c*) Plus correspondence fee where applicable	£ 0.50

EXPLANATORY NOTE

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

This Act of Sederunt makes new provision in respect of fees in the Court of Teinds.

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