Scottish Statutory Instruments

2024 No.

Court of Session

The Court of Session etc. Fees Order 2024

Made - - - - 5th September 2024

Laid before the Scottish Parliament 9th September 2024

Coming into force - - 1st November 2024

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([[1]](#footnote-2)) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Court of Session etc. Fees Order 2024 and comes into force on 1 November 2024.

Interpretation

1. —(1) In this Order—

“Office of Court” has the same meaning as in rule 3.1 of the Rules of Court,

“partner” means a person to whom a person is married, or with whom the person is in a civil partnership,

“Rules of Court” means the Rules of the Court of Session 1994([[2]](#footnote-3)),

“Table of Fees” means the Table of Fees in the schedule of this Order.

* 1. For the purposes of any reference in this Order to a “party”—
     1. except in relation to a special case, a set of persons with the same interest, for whom one and the same first paper is or has been lodged, is to be treated as a single party, and
     2. in relation to a special case, each person or set of persons who appear as one of the separate parties to the case is to be treated as a party.

Fees payable in the Court of Session etc.

1. —(1) This Order makes provision for the fees payable in the Office of Court, the office of the Accountant of Court and the office of the Auditor of the Court of Session.
   1. Subject to paragraph (4) and articles 4 to 8, the fees payable in respect of the matters specified in column 1 of the Table of Fees 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—
      1. in relation to the Office of Court, to the Principal Clerk of Session or any officer acting for the Principal Clerk of Session,
      2. in relation to the office of the Accountant of Court, to the Accountant of Court or any officer acting for the Accountant of Court, and
      3. in relation to the office of the Auditor of the Court of Session, to the Auditor of the Court of Session, or any officer acting for the Auditor of the Court of Session.
   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.
   4. No act is required of any officer or person specified in paragraph (3) in connection with a matter specified in relation to any fee prior to—
      1. the payment of that fee, or
      2. an arrangement being entered into for payment of that fee.

SIOBHIAN BROWN

Authorised to sign by the Scottish Ministers

St Andrew’s House,

Edinburgh

5th September 2024

EXPLANATORY NOTE

(This note is not part of the Regulations)

**Manually inserted heading**

These Regulations bring sections 12 and 15 and paragraph 5 of schedule 2 of the Planning (Scotland) Act 2019 (“the Act”) fully into force on 5 December 2024. Section 62 of the Act is commenced on 5 December 2024 for the limited purpose of bringing paragraph 5 of schedule 2 into force.

The Bill for the Act received Royal Assent on 25 July 2019. Sections 58 to 61, 63 and 64 came into force on the following day.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Planning (Scotland) Act 2019 have been brought into force by commencement regulations made before the date of these Regulations.

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| Provision | Date of Commencement | S.S.I. No. |
| Sections 1, 2 and 10 | 8 November 2019 | S.S.I. 2019/314 |
| Sections 3, 5, 7, 11, 14 and 62 and paragraph 9 of schedule 2 (for limited purposes) | 8 November 2019 | S.S.I. 2019/314 |
| Sections 25 and 42 | 20 December 2019 | S.S.I. 2019/377 |
| Section 23 | 1 March 2020 | S.S.I. 2019/377 |
| Section 18(1), (2) and (4) | 1 December 2019 | S.S.I. 2019/385 |
| Sections 20, 24, 29, 41, 47, 48, 49, 51, 52 and 53 | 1 December 2019 | S.S.I. 2019/385 |
| Sections 26, 62 and paragraph 9 of schedule 2 (for limited purposes) | 1 December 2019 | S.S.I. 2019/385 |
| Sections 27 and 30 | 1 March 2020 | S.S.I. 2019/385 |
| Sections 17, 62 and paragraph 9 of schedule 2 (for limited purposes) | 18 May 2020 | S.S.I. 2020/67 |
| Section 26 | 18 May 2020 | S.S.I. 2020/67 |
| Section 34 and 37 | 18 November 2020 | S.S.I. 2020/294 |
| Section 17 | 1 April 2021 | S.S.I. 2021/101 |
| Section 40 | 17 July 2021 | S.S.I. 2021/244 |
| Section 14(1) (for limited purposes) | 22 January 2022 | S.S.I. 2021/480 |
| Section 14(3) and (7) | 22 January 2022 | S.S.I. 2021/480 |
| Sections 22, 32, 33 and 38 and paragraph 6 of schedule 2 | 1 October 2022 | S.S.I. 2022/275 |
| Section 62 (for limited purposes) | 1 October 2022 | S.S.I. 2022/275 |
| Section 13(4) and (5) | 23 December 2022 | S.S.I. 2022/386 |
| Section 13(1) (for limited purposes) | 23 December 2022 | S.S.I. 2022/386 |
| Paragraph 4 of schedule 2 | 11 February 2023 | S.S.I. 2023/10 |
| Section 62 (for limited purposes) | 11 February 2023 | S.S.I. 2023/10 |

1. () 2014 asp 18. [↑](#footnote-ref-2)
2. () The Rules of the Court of Session 1994 are in schedule 2 of the Act of Sederunt (Rules of the Court of Session 1994) 1994 (S.I. 1994/1443, as last prospectively amended by S.S.I. 2024/196). [↑](#footnote-ref-3)