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.

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)