

Price Transparency for Clients

Short statement on home page with link to main document

Whyte Fraser and Co is as transparent as possible regarding fees, outlays and costs for consumers of services that we provide. This is in keeping with the guidance set out by the Law Society of Scotland with which the firm is registered, which applies to all firms in Scotland who offer legal services to clients. You can find our full price transparency statement here:

Introduction

Whyte Fraser and Co Solicitors is a Firm registered with the Law Society of Scotland. The Law Society has issued guidance on what is called Transparent Pricing. This is information made available to clients and potential clients about fees, costs, and outlays, that may be incurred when instructing solicitors. The guidance is in place for all firms in Scotland that offer legal services to consumers/private clients.

On our website we provide some examples of pricing for the range of services we offer. These are, as required, only illustrations, not definitive costs. This is because a legal case or transaction is like a fingerprint – no job is the same as any other job, and the uniqueness of the work is thus matched by the charges for it. Some kinds of work carry a fixed fee, others are calculated by a scale or unit cost varying with the amount of time or other effort that is appropriate for the completion of the case or transaction. Over and above fees, outlays are charges and costs paid out by the Firm on behalf of the client to other companies, offices, organisations – e.g. the sheriff court, Registers of Scotland, search companies, local authorities and others. These charges are incurred by the client as a necessary part of the work being done. The Firm makes no margin or profit on outlays, they are simply passed on to the client at whatever cost is charged to us. We always seek to keep these costs as low as possible for the client.

So while we have outlined some examples below, and hope they are helpful in describing the kind of charges applicable for your work, you can be almost sure that none of them exactly matches it - except by chance in a few limited cases. But this unavoidable mismatch is dealt with by another Law Society of Scotland requirement. All work to be carried out by solicitors in any firm must be preceded by a written estimate or quotation of fees, vat and outlays. This costing is part of an obligation to issue clients with Terms of Engagement – a set of relevant information made up of a formal letter and other related documentation.

Clients and potential clients reading this Price Transparency material should contact one of our solicitors for a specific and detailed estimate/quotation of fees, as well as discussing the work to be done and any other preliminary matters.

Some areas of work

Debt Recovery

Pre-Court Proceedings

7 day demand letter	£10.00 plus VAT (includes issuing by email)
Short form Demand (48hr basic company winding up letter)	£50.00 plus VAT
21 day Statutory Demand	£50.00 plus VAT

If your debtor is a sole trader or a limited company ,Interest and Compensation will be added to the sums due and will be payable by your debtor.

Undefended court actions

For undefended court action Whyte Fraser offer fixed fees, the fixed fee applies up to obtaining your Decision/Judgment from the court.

Sum sued for	Fee plus VAT	Court fee	Expenses awarded by the court due by your debtor
Up to £300	£150	£19.00	£130.00
£300- £1499	£250.00	£106.00	£217.40
£1500- £3000	£275.00	£106.00	£272.75
£3000- £3500	£325.00	£106.00	£328.10
Over £5000-£9999.99	£500	£132.00	£416.00
(Ordinary Action			
£10000-£20000	£750.00	£132.00	£416.00
Over £20000	5% of the sum sued for	£132.00	£416.00

Pre-Judgment protection (Interim Diligence)

Action	Fee	Court fee
Third party arrestment	£250 plus VAT	£50.00
Inhibition	£250 plus VAT	£50.00

Court fees change regularly, court fees can be found at

<https://scotcourts.gov.uk/rules-and-practice/fees/sheriff-court-fees>

Enforcement of the Decision/Decree

Type of enforcement	Fee for Sheriff officers instruction	Sheriff officers fee less than £1500	Sheriff officers fee for £1500 and over
Service of a charge for payment	£25.00 plus VAT	£52.02 plus VAT	£81.16 plus VAT

Third party arrestment (Bank)	£25 .00 plus VAT	£53.92 plus VAT	£83.06 plus VAT
Inhibition service and registration	£25.00	£101.13	£137.86 plus VAT
Earnings arrestment	£25.00	£32.62	£61.39 plus VAT

Attachment

Attachment goods valued less than £708	£25.00	£100.60	
Attachment £708 - £2845.00	£25.00	£155.95	
Over £2845	£25.00	10% of appraised value	

These are the current Sheriff officers fees however they are subject to change

Enforcing English Judgments in Scotland

Fee	Registration fee (Registers of Scotland)	Sheriff officers fee (service of a charge for payment)
£50 plus VAT	£10	£103.78 plus VAT

Enforcing Scottish Judgments in England

Fee	Court fee for Affidavit	Fee to English agents to transfer judgment
£100 plus VAT	£27.00	£66.00

Sequestration (Bankruptcy) Petition

Fee £390 Plus VAT	Initial court fee £120	further Outlays (around) £650-£850
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Liquidation (Winding up) Petition

Fee £390.00 plus VAT	Initial court fee £132.00	Further outlays (around) £400-£500
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Defended Court Actions

When the court action is defended fees will be charged at our solicitors hourly rate.

General advice and business

As general practice solicitors this Firm takes on a range of clients and cases/transactions. Sometimes the work is preliminary advice, or assistance with a minor or brief legal issue requiring correspondence with other parties or solicitors, and/or creating of legal documentation. There really is no limit to the range of client needs when it comes to legal services and processes.

We often offer preliminary consultation without charge for a discussion or meeting, though we reserve the right to charge for all services and advice.

Some examples of miscellaneous charges:

For notarising/certifying documents a fee may be around £60 plus VAT if the matter is straight forward

No outlays.

For advising on and corresponding with a neighbour who is encroaching on a boundary the fee may be based on an hourly rate of £180 plus VAT per hour, but budgeted as an **initial** maximum of £360 Plus VAT

Information correct as at March 2021.