

EXECUTIVE NOTE

THE HIGH COURT OF JUSTICIARY FEES AMENDMENT ORDER 2009 SSI 2009/87

The above instrument is being made in exercise of the powers conferred by section 2 of the Courts of Law Fees (Scotland) Act 1895 (c.14). The above instrument makes amendments to the High Court of Justiciary Fees Order 1984. The instrument is subject to negative resolution procedure. This Order comes into effect on 6th April 2009.

Policy

A new benefit was introduced by the Welfare Reform Act 2007. This new benefit is the income-related employment and support allowance and the provision of that Act which dealt with this new benefit was brought into force on 27 October 2008. Persons in receipt of that benefit are exempt from court fees. We have taken steps to ensure that those in receipt of this benefit would have the benefit of the fee exemption from that date prior to making the amendment by this instrument.

In addition, the income level threshold used for the working tax credit calculation has been increased from £16,017 to £16,642 from 6th April 2009. Tax credit thresholds are adjusted each year in line with inflation.

Consultation

There has been no need, in view of the nature of these changes, for any external or intra-government consultation.

Financial effects

These will be minimal.

Regulatory Impact Assessment

Not required.

Equalities Impact Assessment

Not required.

Scottish Court Service
2 March 2009