

Draft Order laid before Parliament under section 180(7) of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

**MAGISTRATES' COURTS,
ENGLAND AND WALES**

The Magistrates' Courts Fees (Amendment) Order 2024

Made - - - -

Coming into force in accordance with article 1

The Lord Chancellor, with the consent of the Treasury, makes this Order in exercise of the powers conferred by section 92(1) and (2) of the Courts Act 2003(1) and section 180(1) of the Anti-social Behaviour, Crime and Policing Act 2014(2).

The Lord Chancellor has had regard to the matters referred to in section 180(3) of the Anti-social Behaviour, Crime and Policing Act 2014.

In accordance with section 92(5) and (6) of the Courts Act 2003, the Lord Chancellor has consulted with the Lady Chief Justice, the Master of the Rolls, the President of the King's Bench Division, the President of the Family Division, the Chancellor of the High Court, the Head of Civil Justice, the Deputy Head of Civil Justice and the Civil Justice Council.

A draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 180(7) of the Anti-social Behaviour, Crime and Policing Act 2014.

Citation and commencement

1. This Order may be cited as the Magistrates' Courts Fees (Amendment) Order 2024 and comes into force on the day after the day on which it is made.

Amendment to the Magistrates' Court Fees Order 2008

2. In the table in Schedule 1 to the Magistrates' Courts Fees Order 2008(3), in column 2 (amount of fee), for the entry corresponding to fee 4.1 (proceedings under the Council Tax (Administration

(1) [2003 c. 39](#). Section 92 was amended by paragraph 345 of Schedule 4 to the Constitutional Reform Act 2005; there are other amendments not relevant to this Order.

(2) [2014 c. 12](#).

(3) [S.I. 2008/1052](#) as amended by [S.I. 2014/875](#) and [2018/812](#).

and Enforcement) Regulations 1992⁽⁴⁾ or the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989⁽⁵⁾ on an application for a liability order), substitute “50p”.

On behalf of the Lord Chancellor

Name
Parliamentary Under Secretary of State
Ministry of Justice

We consent

Name
Name
Two of the Lords Commissioners of His
Majesty's Treasury

⁽⁴⁾ S.I. 1992/613.
⁽⁵⁾ S.I. 1989/1058.

EXPLANATORY NOTE

(This note is not part of the Order)

By virtue of section 180(1) Anti-social Behaviour, Crime and Policing Act 2014 (c. 12) (“the Act”), the Lord Chancellor may, with the consent of the Treasury, prescribe certain court fees of an amount which is intended to exceed the cost of the matter in respect of which the fee is charged. Under section 180(7) of the Act the use of that power is subject to the affirmative Parliamentary procedure.

This Order amends the Magistrates’ Courts Fees Order 2008 (S.I. 2008/1052) by restating the value of the fee for an application for a liability order in proceedings under the Council Tax (Administration and Enforcement) Regulations 1992 (S.I. 1992/613) or the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (S.I. 1989/1058) in reliance on s. 180(1) of the Act, thereby authorising that the fee may recover an amount which exceeds the cost to His Majesty’s Courts and Tribunals Service of processing such applications.