



Courts Act 2003

2003 CHAPTER 39

PART 8

MISCELLANEOUS

Fees and costs

92 Fees

- (1) The Lord Chancellor may with the consent of the Treasury by order prescribe fees payable in respect of anything dealt with by—
 - (a) the [^{F1}Senior Courts] ,
 - (b) county courts, and
 - (c) magistrates' courts.
- (2) An order under this section may, in particular, contain provision as to—
 - (a) scales or rates of fees;
 - (b) exemptions from or reductions in fees;
 - (c) remission of fees in whole or in part.
- (3) When including any provision in an order under this section, the Lord Chancellor must have regard to the principle that access to the courts must not be denied.
- (4) The Lord Chancellor may not under this section prescribe fees which he or another authority has power to prescribe apart from this section.
- (5) Before making an order under this section, the Lord Chancellor must consult—
 - (a) the Lord Chief Justice;
 - (b) the Master of the Rolls;
 - [^{F2}(ba) the President of the Queen's Bench Division;
 - (c) the President of the Family Division;
 - (d) the Chancellor of the High Court;]
 - (e) the Head of Civil Justice;

Status: Point in time view as at 01/10/2009. This version of this provision has been superseded.

Changes to legislation: Courts Act 2003, Section 92 is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (f) the Deputy Head of Civil Justice (if there is one).
- (6) Before making an order under this section in relation to civil proceedings, the Lord Chancellor must consult the Civil Justice Council.
- (7) The Lord Chancellor must take such steps as are reasonably practicable to bring information about fees to the attention of persons likely to have to pay them.
- (8) Fees payable under this section are recoverable summarily as a civil debt.
- (9) Subsection (10) applies in relation to an authority which has power to prescribe fees payable in any of the courts referred to in subsection (1).
- (10) Nothing in this section prevents the authority from applying to any extent provisions contained in an order made under this section; and an instrument made in exercise of the power is to be read (unless the contrary intention appears) as applying those provisions as amended from time to time.

Textual Amendments

- F1** Words in s. 92 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 4](#); S.I. 2009/1604, [art. 2](#)
- F2** S. 92(5)(ba)-(d) substituted (1.10.2005) for s. 92(5)(c)(d) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 15, [Sch. 4 para. 345](#); S.I. 2005/2505, [art. 2\(c\)](#)

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