

1976 No. 1479 (L. 25)

COUNTY COURTS

FEES

The County Court Fees (Amendment) Order 1976

Made - - - - - 7th September 1976
Laid before Parliament 16th September 1976
Coming into Operation 11th October 1976

The Lord Chancellor and the Treasury, in exercise of the powers conferred on them by section 177 of the County Courts Act 1959(a), section 2 of the Public Offices Fees Act 1879(b) and section 365(3) of the Companies Act 1948(c), hereby make, concur in and sanction the following Order:—

1.—(1) This Order may be cited as the County Court Fees (Amendment) Order 1976 and shall come into operation on 11th October 1976.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) In this Order a section, paragraph or fee referred to by number means the section, paragraph or fee so numbered in Schedule 1 to the County Court Fees Order 1975(e).

2. Section 1 shall be amended as follows:—

(a) In paragraph 2—

(i) at the beginning there shall be inserted the words “Except where it is otherwise provided”;

(ii) after sub-paragraph (c) there shall be added the following sub-paragraph—

“(d) any application for an order made in the course of the proceedings, including the examination and filing of any affidavit in support of, or opposition to, the application and the drawing, entering, sealing and issue of the order made, together with the service of such order or judgment by post;”;

(iii) sub-paragraph (d) shall stand as sub-paragraph (e).

(b) Paragraph 4 shall be omitted.

(a) 1959 c. 22.

(b) 1879 c. 58.

(c) 1948 c. 38.

(d) 1889 c. 63.

(e) S.I. 1975/1328 (1975 II, p. 4493).

3. In Fee No. 1(i) for the words from the beginning to “£12” in column 3 there shall be substituted the following words:—

<i>Column 2</i>	<i>Column 3</i>
“for the recovery of money ...	10p for every £1 or part thereof claimed. Minimum fee, £1. Maximum fee, £15”.

4. In Fee No. 1(v) for “£12” in column 2 there shall be substituted “£15”.

5. In Fee No. 4 for the words from the beginning to “£1” where it last appears in column 2 there shall be substituted the following words:—

<i>Column 2</i>	<i>Column 3</i>
“On a request for service by bailiff any document except— (a) an order in Form 179; (b) an interpleader summons under an execution; (c) an originating application for an adoption order ...	£2”.

6. For Fee No. 21 there shall be substituted the following fee:—

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
“21	(i) On application for an order for the attendance of a judgment debtor or any other person under Order 25, Rule 2 or 3	50p
	(ii) On the making of such an order	£1·50”.

Dated 6th September 1976.

Elwyn-Jones, C.

Dated 7th September 1976.

T. E. Graham,

David Stoddart,

Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the County Court Fees Order 1975 by—

- (a) replacing the table of fees payable on entering a plaint for the recovery of a sum of money by a standard fee of 10%;
- (b) prescribing a fee of uniform amount for service of a document by bailiff;
- (c) reducing the fee payable on an application for an order for the oral examination of a debtor and prescribing a further fee if the order is made.

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