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 STATUTORY INSTRUMENTS
 

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1986 No. 2144

## SUPREME COURT OF ENGLAND AND WALES

**The Supreme Court Fees (Amendment No. 2) Order 1986**

<i>Made - - - -</i>	<i>8th December 1986</i>
<i>Laid before Parliament</i>	<i>8th December 1986</i>
<i>Coming into Operation</i>	<i>29th December 1986</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 414 and 415 of the Insolvency Act 1986<sup>(a)</sup>, and section 130 of the Supreme Court Act 1981<sup>(b)</sup>, with the concurrence and sanction of the Lord Chief Justice, the Master of the Rolls, the President of the Family Division, the Vice-Chancellor and the Treasury, hereby makes the following Order:—

1.—(1) This Order may be cited as the Supreme Court Fees (Amendment No. 2) Order 1986 and shall come into operation on 29th December 1986.

(2) The Supreme Court Fees Order 1980<sup>(c)</sup> shall be amended in accordance with the following provisions of this Order and in those provisions a fee referred to by number means the fee so numbered in the Schedule to the said Order of 1980.

2. In Article 4 of the said Order of 1980 the words “(ii) proceedings in bankruptcy” shall be omitted.

3.—(1) In Fee No. 5A after the words “or Admiralty Registrar” in Column 1 there shall be added the words “or before a Bankruptcy Registrar”.

(2) For the words “or notice” in Column 3 there shall be substituted the words, “, notice or application.”

(3) After Fee No. 5A there shall be inserted the words “This fee is not payable on an application to set aside a statutory demand or an application by the Official Receiver when applying only in that capacity”.

4. In Fee No. 5D after the words “motion for judgment)” in Column 1 there shall be inserted the words “or application” and after the words “notice of motion” in Column 3 there shall be inserted the words “or application”.

5. In Fee No. 23 after the words “the Accountant General” there shall be inserted the words “and for a declaration by a shorthand writer appointed in insolvency proceedings”.

6. For Section 6 in the Schedule there shall be substituted the following section:

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(a) 1986 c.45.

(b) 1981 c.54.

(c) S.I. 1980/821; the relevant amending instruments are S.I. 1982/1707 and 1986/637.

## SECTION 6

FEES PAYABLE ON PROCEEDINGS UNDER THE COMPANIES ACT 1985 (a) AND  
INSOLVENCY ACT 1986

Column 1	Column 2	Column 3
Item	Fee £	Document to be marked
30. (a) On presenting a petition for the winding up of a company by the Court, or for an order under section 459 or 456 of the Companies Act 1985	40.00	The petition
(b) On presenting a bankruptcy petition:		
(i) if presented by a debtor or by the personal representative of a deceased debtor	15.00	The petition
(ii) if presented by a creditor or other person	45.00	The petition
(c) On presenting any other petition One fee only is payable where more than one petition is presented in relation to a partnership	50.00	The petition
(d) On the hearing of a public examination This fee is not payable until after a hearing on which the debtor has appeared and has been examined	15.00	The application

Dated 4th December 1986.

*Hailsham of St Marylebone, C.*

*Lane, C.J.,  
John F Donaldson, M.R.,  
John Arnold, P.,  
Nicolas Browne-Wilkinson, V-C.,*

Dated 4th December 1986.

*Mark Lennox-Boyd,  
Michael Neubert,  
Two of the Lords Commissioners of  
Her Majesty's Treasury.*

Dated 8th December 1986.

(a) 1985 c.6.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order amends the Supreme Court Fees Order 1980, as amended, so as to—

- (a) incorporate into the Supreme Court Fees Order fees payable in the Supreme Court in bankruptcy proceedings, which were formerly in a separate Bankruptcy Fees Order (S.I. 1984/880);
- (b) make changes to those fees consequential on the coming into force of the Insolvency Act 1986, and delete obsolete and minor fees;
- (c) increase the fees payable on the presentation of petitions in insolvency proceedings—
  - (i) debtor's bankruptcy petition, £12 to £15;
  - (ii) creditor's bankruptcy petition (£25) combined with former fee for bankruptcy notice (£12) and increased to £45;
  - (iii) winding up petition, £20 to £40, to bring it more into line with other fees payable on the commencement of proceedings;
  - (iv) other petitions, £40 to £50;
- (d) increase the fees payable on applications to the court (£6 to £10) and public examinations (£12 to £15).

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