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STATUTORY INSTRUMENTS

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**1995 No. 2627 (L. 11)**

**COUNTY COURTS**

**The County Court Fees (Amendment) Order 1995**

*Made* - - - - - *9th October 1995*  
*Laid before Parliament* *9th October 1995*  
*Coming into force* - - - *30th October 1995*

The Lord Chancellor, in exercise of the powers conferred on him by section 128 of the County Courts Act 1984(1), with the concurrence of the Treasury, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the County Court Fees (Amendment) Order 1995 and shall come into force on 30th October 1995.

(2) In this Order an article referred to by number means the article so numbered in the County Court Fees Order 1982(2) and a fee or column referred to by number means the fee or column so numbered in Schedule 1 to that Order.

**Amendments to the County Court Fees Order 1982**

2. For article 4(1) there shall be substituted the following—

“4.—(1) No fee shall be payable under this Order by a party who, at the time when a fee would otherwise become payable,

- (a) is in receipt of income support under Part VII of the Social Security Contributions and Benefits Act 1992(3), and
- (b) is not in receipt of representation under Part IV of the Legal Aid Act 1988(4) for the purposes of the proceedings.”

3. In paragraph 3 of Schedule 1, for “Fee No. 1.(ii)” there shall be substituted “Fee No. 1.(iii)”.

4. For paragraph 4 of Schedule 1 there shall be substituted the following—

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(1) 1984 c. 28.  
(2) S.I.1982/1706; the relevant amending instruments are S.I. 1983/1681, 1985/574 and 1834, 1986/633 and 2143, 1988/509, 1992/2762 and 1994/1936.  
(3) 1992 c. 4.  
(4) 1988 c. 34.

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“4. Fee No. 4.(viii) shall be calculated on any money paid into court under any order at the rate in force at the time when the order was made (or, where the order has been amended, at the time of the last amendment prior to the date of payment).”.

5. For Columns 1 and 2 in Fee No. 1 there shall be substituted the following—

<i>“Column 1 (No. and description of fee)</i>	<i>Column 2 (Amount of fee)</i>
(i) On entering a plaint for a sum of money, except in summons production centre cases. Where the sum of money claimed—	
does not exceed £100	£10
exceeds £100 but does not exceed £200	£20
exceeds £200 but does not exceed £300	£30
exceeds £300 but does not exceed £400	£40
exceeds £400 but does not exceed £500	£50
exceeds £500 but does not exceed £600	£60
exceeds £600 but does not exceed £1000	£65
exceeds £1000 but does not exceed £5000	£70
exceeds £5000	£80
(ii) On entering a plaint for a sum of money in summons production centre cases. Where the sum of money claimed—	
does not exceed £100	£10
exceeds £100 but does not exceed £200	£15
exceeds £200 but does not exceed £300	£25
exceeds £300 but does not exceed £400	£35
exceeds £400 but does not exceed £500	£45
exceeds £500 but does not exceed £600	£55
exceeds £600 but does not exceed £1000	£60
exceeds £1000 but does not exceed £5000	£65
exceeds £5000	£75
(iii) For the commencement of proceedings for any other remedy or relief, other than where Fee No. 9 applies, whether by plaint, originating application, notice of application, petition, appeal or otherwise	£65.”

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6. In Column 3, for the whole entry for Fee No. 1, there shall be substituted the following—

“1. (i) and 1.(ii) On delivery of a counterclaim which exceeds the amount of the claim there shall be paid the amount by which the fee calculated on the amount of the counterclaim exceeds the fee paid by the plaintiff.

1. (iii) Where a claim for which Fee No. 1.(iii) is paid is joined with a claim for money, no additional fee shall be payable.”.

7. For Columns 1 and 2 in Fee No. 4.(i) there shall be substituted the following:

<i>“Column 1 (No. and description of fee)</i>	<i>Column 2 (Amount of fee)</i>
(i)(a) By the issue of a warrant of execution against goods except a warrant to enforce payment of a court fee or an order for payment of a fine, except in County Court Bulk Centre cases—  Where the amount for which the warrant issues does not exceed £125  Where the amount for which the warrant issues exceeds £125	£20  £40
(i)(b) By the issue of a warrant of execution against goods except a warrant to enforce payment of a court fee or an order for payment of a fine, in County Court Bulk Centre cases  Where the amount for which the warrant issues does not exceed £125  Where the amount for which the warrant issues exceeds £125	£15  £35”

8. For Columns 1 and 2 in Fee No. 4.(iv) there shall be substituted the following—

<i>“Column 1 (No. and description of fee)</i>	<i>Column 2 (Amount of fee)</i>
(iv) By the issue of a warrant of possession or a warrant of delivery	£80”

9. In Column 3—

- (a) entry 4.(i) shall be omitted;
- (b) in entry 4.(iv), for “the appropriate fee under Fee No. 4.(i) is also payable” there shall be substituted “no further fee is payable”;
- (c) there shall be inserted the following new entry 4.(viii):—

“4.(viii) This fee is calculated in accordance with paragraph 4 of this Schedule.”.

10. In Column 2—

- (a) in Fee No. 4.(vii) for the whole entry there shall be substituted “£50”;
- (b) in Fee No. 4.(viii) for “5p” there shall be substituted “10p”.

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**11.** For Columns 1 and 2 in Fee No. 6 there shall be substituted the following:

<i>“Column 1 (No. and description of fee)</i>	<i>Column 2 (Amount of fee)</i>
(6) COPIES OF DOCUMENTS. For a copy of any document, or for examining a plain copy and marking it as an office copy, per page	£1”

**12.** In Column 2—

- (a) in Fee No. 9.(i)(a) for “£20” there shall be substituted “£25”;
- (b) in Fee No. 9.(i)(b) for “£50” there shall be substituted “£55”;
- (c) in Fee No. 9.(ii) for “£50” there shall be substituted “£55”;
- (d) in Fee No. 9.(iii)(a) for “£15” there shall be substituted “£20”.

**13.** Fee No. 9.(iv) shall be omitted.

Dated 4th October 1995

*Mackay of Clashfern, C.*

We concur,

*David Willetts  
Derek Conway*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

Dated 9th October 1995

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the County Court Fees Order 1982 so as to—

(1) remove exemption from payment of court fees from those in receipt of income support who are also in receipt of civil legal aid (*article 2*);

(2) set a flat fee of £65 on non-money claims, irrespective of whether such a claim is linked to a money claim (*articles 3, 5 and 6*);

(3) replace the 10p per £ plaint fee scale with fee bands (*articles 5 and 6*);

(4) replace the 15p per £ fee scale on issue of warrants of execution with fee bands, with lower fees for users of the County Court Bulk Centre (*article 7*);

(5) replace the scale of fees payable on issue of warrants of delivery and possession with a flat fee of £80, with no additional fee for a money claim (*article 8*);

(6) abolish the additional fee payable for a warrant of delivery or possession where the recovery of a sum of money is also sought (*article 9*);

(7) replace the fee of 10p per £ payable on issue of an attachment of earnings application with a flat fee of £50 (*article 10*);

(8) increase the fee payable on dividends (Fee No. 4.(viii)) from 5p to 10p. This fee change will not affect existing orders, on which dividends will be subject to the old fee. If an existing order is amended (for example to include another debt or change the instalment order) then the new fee will be applied to the amounts paid into court after the date of the amendment (*articles 4, 9 and 10*);

**9**) increase the fee for copies of documents to £1 per page (*article 11*);

(10) increase the fee on issue of a debtor's petition in bankruptcy (fee 9.(i)(a)) from £20 to £25 (*article 12*);

(11) increase the fee on issue of a creditor's petition in bankruptcy (fee 9.(i)(b)) from £50 to £55 (*article 12*);

(12) increase the fee on issue of any other petition under the Companies Act 1985 (**1985 c. 6**) or Insolvency Act 1986 (**1986 c. 45**) (fee 9.(ii)) from £50 to £55 (*article 12*);

(13) increase the fee on the hearing of an application under the Companies Act 1985 or Insolvency Act 1986 before a district judge (fee 9.(iii)(a)) from £15 to £20 (*article 12*);

(14) abolish the fee payable on the hearing of a public examination (*article 13*).