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STATUTORY INSTRUMENTS

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**1997 No. 787 (L. 17)**

**COUNTY COURTS**

**The County Court Fees (Amendment) Order 1997**

<i>Made</i>	- - - -	<i>11th March 1997</i>
<i>Laid before Parliament</i>		<i>12th March 1997</i>
<i>Coming into force</i>	- -	<i>13th March 1997</i>

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. This Order may be cited as the County Court Fees (Amendment) Order 1997 and shall come into force on 13th March 1997.

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

2.—(1) For article 4 of the County Court Fees Order 1982(2) there shall be substituted:—

“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.

(2) The Lord Chancellor may reduce or remit a fee in any case where, in circumstances where paragraph (1) does not apply, it appears to the Lord Chancellor that payment by a party who is an individual of any fee specified in Schedule 1 would involve undue financial hardship because of the exceptional circumstances of the particular case.

(3) Paragraph (1) shall not apply to Fee No. 4(viii) (fee payable on a consolidated attachment of earnings order or an administration order).”

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(1) 1984 c. 28.  
(2) S.I.1982/1706; the relevant amending instruments are S.I. 1994/1936, 1995/2627 and 1996/3189.  
(3) 1992 c. 4.  
(4) 1988 c. 34.

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**Amendment to the County Court Fees (Amendment) Order 1996**

3. Article 3 of the County Court Fees (Amendment) Order 1996(5) shall be omitted.

Dated 11th March

*Mackay of Clashfern C.*

We concur,

Dated 11th March 1997

*Patrick McLoughlin*  
*Roger Knapman*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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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 restore the provisions governing exemption and remission from payment of court fees to their wording immediately prior to the coming into force of the County Court Fees (Amendment) Order 1996. It also revokes the relevant article of the 1996 Order.