
STATUTORY INSTRUMENTS

2004 No. 2100 (L. 13)

SUPREME COURT OF ENGLAND AND WALES

The Supreme Court Fees (Amendment) Order 2004

<i>Made</i>	- - - -	<i>4th August 2004</i>
<i>Laid before Parliament</i>		<i>9th August 2004</i>
<i>Coming into force</i>	- -	<i>31st August 2004</i>

The Lord Chancellor, in exercise of the powers conferred upon him by section 130 of the Supreme Court Act 1981(1) and sections 414 and 415 of the Insolvency Act 1986(2) with the concurrence of the Lord Chief Justice, the Master of the Rolls, the President of the Family Division, the Vice-Chancellor and the Treasury under section 130(2) of the Supreme Court Act 1981, and with the sanction of the Treasury under sections 414(1) and 415(1) of the Insolvency Act 1986, makes the following Order.

1. This Order may be cited as the Supreme Court Fees (Amendment) Order 2004 and shall come into force on 31st August 2004.
2. In article 5(2)(b) of the Supreme Court Fees Order 1999(3)—
 - (a) for sub-paragraph (i) substitute—

“(i) child tax credit is being paid to the party, or otherwise following a claim for child tax credit made jointly by the members of a married couple or an unmarried couple (as defined respectively in section 3(5) and (6) of the Tax Credits Act 2002(4)) which includes the party; or” and
 - (b) for “£14,213” substitute “£14,600”.

Date 22nd July 2004

Falconer of Thoroton , C

(1) 1981 c. 54.
(2) 1986 c. 45.
(3) S.I. 1999/687; relevant amending instruments are S.I. 1999/2569 and 2003/717.
(4) 2002 c. 21.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

We concur

Woolf, LCJ
Phillips, MR
Dame Elizabeth Butler-Sloss
Sir Andrew Morrit

Date 21st July 2004

We concur and give our sanction

John Heppell
Joan Ryan
Two of the Lords Commissioners of Her
Majesty's Treasury

Date 4th August 2004

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 5(2)(b) of the Supreme Court Fees Order 1999 (S.I.1999/687), which provides that working tax benefit is a qualifying benefit leading to exemption from court fees, as long as either child tax credit is being paid or there is a disability or severe disability element, and the gross annual income for the purposes of the working tax credit is below a given threshold. The amendments made by this Order:

- (a) provide that the child tax credit need not be received by the party seeking exemption from court fees, as long as it is being paid in respect of a claim for child tax credit made jointly by the party and his spouse or partner; and
- (b) increase the income threshold from £14,213 to £14,600.