

STATUTORY INSTRUMENTS

2016 No. 1191

The Civil Proceedings Fees (Amendment) Order 2016

Amendments to the Civil Proceedings Fees Order 2008

2.—(1) The Civil Proceedings Fees Order 2008(1) is amended as follows.

(2) In article 2, for “Supreme Court”, substitute “Senior Courts of England and Wales”.

(3) In the table in Schedule 1(2) (fees to be taken), for fee 2.1, for the entries in both columns, substitute—

“2.1 On the court fixing a trial date or trial period for a case allocated to:	
(a) the multi-track;	£1,090
(b) the fast track;	£545
(c) the small claims track where the sum claimed:	
(i) does not exceed £300;	£25
(ii) exceeds £300 but does not exceed £500;	£55
(iii) exceeds £500 but does not exceed £1,000;	£80
(iv) exceeds £1,000 but does not exceed £1,500;	£115
(v) exceeds £1,500 but does not exceed £3,000;	£170
(vi) exceeds £3,000.	£335
Where notice of trial date or trial period is given by the court 36 days or more before the trial date or the Monday of the first week of the notified trial period, fee 2.1 is payable at least 28 days prior to the trial date or the Monday of the first week of the notified trial period.	
Where notice of trial date or trial period is given by the court less than 36 days before the trial date or the Monday of the first week of the notified trial period, fee 2.1 is payable within 7 days after the date on which such notice is given.	
Where the court gives notice of both a trial date and a trial period, the fee is payable by reference	

(1) S.I. 2008/1053, as amended by S.I. 2013/734, 2013/2302, 2014/874, 2014/1834, 2014/2059, 2015/576, 2016/402, 2016/434 and 2016/807.

(2) Schedule 1 was substituted by S.I. 2014/874 and amended by S.I. 2014/1834, 2014/2059, 2015/576, 2016/402, 2016/434 and 2016/807.

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to the Monday of the first week of the notified trial period.	
Written notice is given on the date on which the notice is sent out from the court. Oral notice is given on the date on which the notice is communicated by the court. Where notice is both in written form and given orally, the notice is given on the date that the written notice is sent out from the court.	
<p>Where an application for fee remission is refused in whole or in part, fee 2.1 (or the amount of the fee which remains unremitted) is payable either:</p> <p>(a) within 7 days after the court giving notice of refusal of fee remission (or refusal in part); or</p> <p>(b) at least 28 days prior to the trial date or the Monday of the first week of the notified trial period,</p> <p>whichever is latest.</p>	
Fee 2.1 is payable by the claimant except where the action is proceeding on the counterclaim alone, when it is payable by the defendant.	
Fee 2.1 is not payable in respect of a case where the court fixed the trial date on the issue of the claim.”	

(4) In Schedule 2(3) (remissions and part remissions)—

- (a) at the beginning of paragraph 15(4), insert “Subject to sub-paragraph (5),”; and
- (b) after paragraph 15(4), insert—

“(5) Where an application for remission of fee 2.1 is refused, or if part remission of that fee is granted, the amount of the fee which remains unremitted must be paid in accordance with the directions in column 1 of the table in Schedule 1 (fees to be taken), in respect of fee 2.1. ”.