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STATUTORY INSTRUMENTS

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**2000 No. 937 (L. 6)**

**SUPREME COURT OF ENGLAND AND WALES**

**The Supreme Court Fees (Amendment No. 2) Order 2000**

<i>Made</i>	- - - -	<i>28th March 2000</i>
<i>Laid before Parliament</i>		<i>4th April 2000</i>
<i>Coming into force</i>		
<i>for the purposes of articles</i>		
<i>3, 4, 8, 9, 10 and 12</i>		<i>2nd May 2000</i>
<i>for all other purposes</i>		<i>25th April 2000</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 130 of the Supreme Court Act 1981(1) and section 128 of the Finance Act 1990(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, makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Supreme Court Fees (Amendment No. 2) Order 2000 and shall come into force for the purposes of articles 3, 4, 8, 9, 10 and 12 of this Order on 2nd May 2000 and for all other purposes on 25th April 2000.

**Interpretation**

2. In this Order—

- (a) “the 1999 Fees Order” means the Supreme Court Fees Order 1999(3);
- (b) an article referred to by number alone is a reference to the article so numbered in the 1999 Fees Order; and
- (c) a fee or column referred to by number means the fee or column so numbered in Schedule 1 to the 1999 Fees Order.

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(1) 1981 c. 54.

(2) 1990 c. 29.

(3) S.I.1999/687; amended by S.I. 1999/2569 and S.I. 2000/641.

### Transitional provisions

3. In relation to appeals to which rule 39 of the Civil Procedure (Amendment) Rules 2000(4) applies (transitional provisions)—

- (a) articles 9, 10 and 12 of this Order shall have no effect; and
- (b) the fees payable shall be those that applied immediately before 2nd May 2000.

### Amendments to the 1999 Fees Order

4. In article 2, after paragraph (e) the following new paragraph (f) shall be added—

“(f) “GLO” means a Group Litigation Order”.

5. In article 4(f) after the words “family proceedings” there shall be added the words “in the High Court”.

6. In column 2 in fee 1.1(a) for “£300” there shall be substituted “£350”.

7. In column 2 in fee 1.1(b) for “£400” there shall be substituted “£500”.

8. In column 1 in fee 2, in the notes under the heading “Fees 2.1 and 2.2 Generally”, after the note “Fees 2.1 and 2.2 shall be payable as appropriate where the court allocates a case to a track for a trial of the assessment of damages.” there shall be added the following note—

“Fees 2.1 and 2.2 shall not be payable in relation to claims managed under a GLO after that GLO is made.”

9. For columns 1 and 2 in fee 2.3 there shall be substituted—

<i>“Column 1</i>	<i>Column 2</i>
Number and description of fee	Amount of fee
<p>(a) Where permission to appeal is not required or has been granted by the lower court—</p> <ul style="list-style-type: none"> <li>• on filing an appellant’s notice, or,</li> <li>• on filing a respondent’s notice where the respondent is appealing or wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court</li> </ul>	£100
<p>(b) Where in an appeal notice permission to appeal or an extension of time for appealing is applied for (or both are applied for)—</p> <ul style="list-style-type: none"> <li>• on filing an appellant’s notice, or</li> </ul>	£150

<i>“Column 1</i>	<i>Column 2</i>
Number and description of fee	Amount of fee
<ul style="list-style-type: none"> <li>• where, the respondent is appealing, on filing a respondent’s notice</li> </ul> <p>Where fee 2.3(b) has been paid and permission to appeal (or extension of time) is not granted, £100 shall be refunded to the party who paid fee 2.3(b).</p> <p><i>Fees 2.3(a) and (b)</i></p> <p>Fees 2.3(a) and (b) do not apply on appeals against a decision made in detailed assessment proceedings.”</p>	

**10.** In column 1 in fee 2.5 after the note “For the purpose of fee 2.5 a request for a judgment or order on admission or in default shall not constitute an application and no fee shall be payable.” there shall be added the following note—

“Fees 2.4 and 2.5

Fees 2.4 and 2.5 shall not be payable when an application is made in an appeal notice or is filed at the same time as an appeal notice.”

**11.** For columns 1 and 2 in fee 7 there shall be substituted—

<i>“Column 1</i>	<i>Column 2</i>
Number and description of fee	Amount of fee
<p><b>7.1</b> On a request for a copy of a £1 document (other than where fee 7.2 applies):</p> <ul style="list-style-type: none"> <li>(a) for the first page (except the first page of a subsequent copy of the same document supplied at the same time)</li> <li>(b) per page in any other case</li> </ul> <p>Fee 7.1 shall be payable for a faxed copy or for examining a plain copy and marking it as an examined copy.</p> <p>Fee 7.1 shall be payable whether or not the copy is issued as an office copy.</p> <p><b>7.2</b> On a request for a copy of a 20p document required in connection with proceedings and supplied by the party making the request at the time of copying, for each page</p>	<p>20p</p>

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<i>“Column 1</i>	<i>Column 2</i>
Number and description of fee	Amount of fee
<b>7.3</b> On a request for a copy of a document on a computer disk or in other electronic form, for each such copy	£3”

**12.** For columns 1 and 2 in fee 9 there shall be substituted—

<i>“Column 1</i>	<i>Column 2</i>
Number and description of fee	Amount of fee
(a) Where in an appeal notice permission to appeal or an extension of time for appealing is applied for (or both are applied for)—	£100
<ul style="list-style-type: none"> <li>• on filing an appellant’s notice, or</li> <li>• where, the respondent is appealing, on filing a respondent’s notice</li> </ul>	
(b) Where permission to appeal is not required or has been granted by the lower court—	£200
<ul style="list-style-type: none"> <li>• on filing an appellant’s notice, or</li> <li>• on filing a respondent’s notice where the respondent is appealing</li> </ul>	
(c) On the appellant filing an appeal questionnaire (unless the appellant has paid fee 9.1(b)), or on the respondent filing an appeal questionnaire (unless the respondent has paid fee 9.1(b))	£200
<b>9.2</b> On filing a respondent’s notice where the respondent wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court	£100
<b>9.3</b> On filing an application notice	£100
Fee 9.3 shall not be payable for an application made in an appeal notice.”	

**13.** In column 2 in fee 10.2 for “£160” there shall be substituted “£180”;

Dated 24th March 2000

*Irvine of Lairg, C.  
Bingham of Cornhill, C. J.  
Harry Woolf, M. R.  
Elizabeth Butler-Sloss, P.  
Richard Scott, V. -C.*

We concur,

Dated 23rd March 2000

We concur,

Dated 28th March 2000

*Clive Betts,  
Greg Pope*  
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 Supreme Court Fees Order 1999 as follows:

- fees 2.1 and 2.2 (the allocation fee and listing fee) are not payable after a Group Litigation Order is made;
- fee 2.3 and 9 (appeal fees) are restructured to take account of the new rules on appeals contained in the Civil Procedure (Amendment) Rules 2000;
- fee 7 (copy documents) is reduced so that the fee is £1 for the first page (unless supplied at the time of copying) of the first document and 20p per page for other pages (the old fee was £1 per page for the first five pages and 25p for subsequent pages);
- fee 10.2 (detailed assessment hearing) is increased from £160 to £180; and
- the reference to family proceedings is clarified.

In addition the fee for commencing proceedings to recover a sum of money:

- where the amount claimed does not exceed £50,000 (fee 1.1(a)) is increased from £300 to £350; and
- where the amount claimed exceeds £50,000 (fee 1.1(b)) is increased from £400 to £500.