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S T A T U T O R Y   I N S T R U M E N T S

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1980 No. 683

**BANKRUPTCY, ENGLAND**

**The Bankruptcy Fees (Amendment) Order 1980**

*Made - - - - 12th May 1980*

*Coming into Operation 8th June 1980*

The Lord Chancellor and the Treasury, in exercise of the powers conferred on them by section 133 of the Bankruptcy Act 1914<sup>(a)</sup> hereby make and sanction the following Order:—

1. This Order may be cited as the Bankruptcy Fees (Amendment) Order 1980 and shall come into operation on 8th June 1980.

2. The Bankruptcy Fees Order 1975<sup>(b)</sup> shall have effect subject to the following amendment—

For Table A there shall be substituted the Table in the Schedule to this Order.

Dated 9th May 1980.

*Hailsham of St. Marylebone, C.*

Dated 12th May 1980.

*J. A. Douglas-Hamilton,  
Carol Mather,  
Two of the Lords Commissioners  
of Her Majesty's Treasury.*

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<sup>(a)</sup> 1914 c. 59.

<sup>(b)</sup> S.I. 1975/1350: relevant amending instruments are S.I. 1976/687, 1978/570.

## SCHEDULE

TABLE A

No. of Fee	Description of Proceeding	Amount
1	On issuing a bankruptcy notice .. .. .	£ 10.00
2	On presenting a bankruptcy petition— (i) if presented by a debtor, or under section 130(9) of the Act, by the legal personal representative of a deceased debtor .. (ii) if presented by a creditor .. .. .	 10.00 20.00
	<i>Where on the presentation of a petition by a debtor the Official Receiver gives a certificate that there is reasonable ground for believing that the assets are sufficient to meet the expenses of administration, this fee shall not be charged.</i>	
3	On sealing a receiving order under section 107 of the Act .. .. .	20.00
4	For every receiving order made on a debtor's petition, where the fee on the petition has been dispensed with in pursuance of the Official Receiver's certificate as to sufficiency of assets	10.00
5	For every order of administration made on transfer of proceedings under section 130(3) of the Act .. .. .	10.00
6	On the making of a receiving order under section 11 of the Insolvency Act 1976 ..	20.00
7	On sealing an order adjourning a petition ..	2.00
8	(i) On an application for search of the registers other than by an officer of the court .. .. (ii) On an application for search of the file of proceedings other than by the petitioner, trustee, bankrupt or any officer of the court ..	 0.50 0.50
9	On an application to the court, except by the Official Receiver when applying only in his capacity of Official Receiver and not as Trustee .. .. .	5.00
10	On setting down a motion for hearing before a Judge sitting in bankruptcy .. .. .	10.00
11	On entering an appeal in bankruptcy .. ..	15.00
12	Where a Judge of the High Court deals with a judgment summons under section 107 of the Act—on the issue of a judgment summons, for every £2 or fraction thereof for which the summons issues .. .. .	0.20 Maximum fee 5.00

No. of Fee	Description of Proceeding	Amount
13	On the issue of a summons under section 25 of the Act .. .. .	£ 5.00
14	On the taxation of a bill of costs—for every £1 or fraction of £1 of the amount allowed .. Provided that the taxing officer may in any case require payment before taxation with the whole or part of the amount of fees which would be payable if the bill were allowed by him at the full amount thereof.	0.05
15	On the withdrawal of a bill of costs which has been lodged for taxation such fee (not exceeding the amount which would have been payable under Fee No. 14 of Table A if the bill had been allowed in full) as may be reasonable having regard to the amount of work done in the court office.	
16	For a photographic copy of all or part of any document whether or not issued as an office copy, for each photographic sheet .. ..	0.25
17	For a typewritten copy document, per page whether or not issued as an office copy .. and for each page of any additional carbon copy bespoke, half of this fee.	0.50
18	For examining a plain copy and marking the same as an office copy, for each sheet ..	0.25
19	For taking an affidavit or an affirmation or a declaration except a declaration by a shorthand writer under rule 69 (forms 71 and 71A)— (i) for each person making the same .. .. (ii) in addition, for each exhibit or schedule therein referred to and required to be marked .. .. .	2.00 0.50
20	On a request for service of a bankruptcy notice, bankruptcy petition or subpoena or an order not serviceable by post .. .. .	10.00
21	For issuing an order of commitment under the Debtors Act 1869(a) or a search warrant or warrant of seizure apprehension or committal under the Act .. .. .	10.00
22	Where a Registrar is required to perform duties away from his office— For each day or part of day he is absent from his office .. .. .	50.00 and in addition the amount actually and reasonably expended on travel and subsistence.

No. of Fee	Description of Proceeding	Amount
23	On the hearing of a public examination in the High Court or in a county court .. ..  <i>This fee is not payable— (a) more than once under each receiving order; (b) until after a hearing on which the debtor has appeared and has been examined.</i>	£ 10.00

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order replaces Table A of the Schedule to the Bankruptcy Fees Order 1975 and increases court fees payable in bankruptcy proceedings. It also amalgamates or abolishes a number of fees.

The following table shows in Part I the number of a fee in the 1980 Order compared to the number of that fee in the 1975 Order as amended. Part II shows the fees in the 1975 Order which have been deleted:

## PART I

## TABLES OF CORRESPONDENCE

No. of Fee in this 1980 Order	No. of Fee in 1975 Order as amended
1	2
2	3
3	4
4	29
5	30
6	37
7	6
8(i), 8(ii)	11
9	8, 9, 10, 12, 13, 14
10	15
11	17(i), 17(ii)
12	18
13	20
14	22
15	23
16	24
17	25
18	26
19(i), 19(ii)	28(i), 28(ii)
20	31(i), 31(ii)
21	32
22	35
23	36

## PART II

Fees contained in 1975 Order and now deleted—

1, 5, 7, 16, 19, 21, 27, 33, 34