

2002 No. 223 (L. 3)

COUNTY COURTS, ENGLAND AND WALES

The County Court Fees (Amendment) Order 2002

Made - - - - - 6th February 2002

Laid before Parliament 7th February 2002

Coming into force

*for the purposes of articles 4
and 5 25th March 2002*

for all other purposes 1st March 2002

The Lord Chancellor, in exercise of the powers conferred on him by section 128 of the County Courts Act 1984(a), with the concurrence of the Treasury under section 128(1) of the County Courts Act 1984, makes the following Order:

Citation and commencement

1. This Order may be cited as the County Court Fees (Amendment) Order 2002 and shall come into force for the purposes of articles 4 and 5 on 25th March 2002 and for all other purposes on 1st March 2002.

Interpretation

2. In this Order—
- (a) “the 1999 Fees Order” means the County Court Fees Order 1999(b);
 - (b) a fee or column referred to by number means the fee or column so numbered in Schedule 1 to the 1999 Fees Order.

Amendments to the 1999 Fees Order

3. In column 1, in the notes following fee 2.5, the note “Fee 2.5 shall not be payable on an application made under paragraph 8(3) of Schedule 6 to the Road Traffic Act 1991(c).” shall be omitted.

4. In column 1 in fee 4.3, for the words “to question a judgment debtor or other person on oath in connection with enforcement of a judgment” there shall be substituted the words “for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement of a judgment or order”.

5. In column 1 in fee 4.4, for the words “garnishee order nisi or a charging order nisi” there shall be substituted the words “third party debt order or a charging order”.

(a) 1984 c. 28.

(b) S.I. 1999/689; amended by S.I. 1999/2548; S.I. 2000/639; 939; 1546 and 2310; and S.I. 2001/1385.

(c) 1991 c. 40.

6. For columns 1 and 2 in fee 4.10 (including the note “No fee is payable on a request to issue a warrant of execution to enforce any such order.”) there shall be substituted—

<i>Column 1</i> Number and description of fee	<i>Column 2</i> Amount of fee
<p>4.10 On a request for an order to recover a sum that is:</p> <ul style="list-style-type: none"> ● a specified debt within the meaning of the Enforcement of Road Traffic Debts Order 1993(a) as amended from time to time; or ● pursuant to an enactment, treated as a specified debt for the purposes of that Order <p>No fee is payable on:</p> <ul style="list-style-type: none"> ● an application for an extension of time to serve a statutory declaration in connection with any such order; or ● a request to issue a warrant of execution to enforce any such order 	£5

Irvine of Lairg, C.
Dated 30th January 2002

We concur,

Tony McNulty
John Heppell
Two of the Lords Commissioners
of Her Majesty’s Treasury

Dated 6th February 2002

(a) S.I. 1993/2073; amended by S.I. 2001/1386.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the County Court Fees Order 1999.

The following amendments are made to take account of the new rules on enforcement introduced by the Civil Procedure (Amendment No. 4) Rules 2001 (S.I. 2001/2792):

—the description of fee 4.3 (fee payable on oral examination) is revised so that it now refers to an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement (*article 4*);

—the description of fee 4.4 (fee payable on application for garnishee order or charging order) is revised so that it now refers to an application for a third party debt order and a charging order (*article 5*).

In addition a new fee 4.10 (fee payable in traffic enforcement cases) is substituted. The new fee 4.10 has been extended to embrace all sums that are, or are treated as, specified debts in the Enforcement of Road Traffic Debts Order 1993 (charges payable in relation to traffic enforcement) (*article 6*). A consequential amendment is made to the notes to fee 2.5 (*article 3*).

There is no change in the amount of any of the fees.

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The County Court Fees (Amendment) Order 2002

£1.75

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E2213 2/2002 012213 19585

ISBN 0-11-039296-5



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