
STATUTORY INSTRUMENTS

2008 No. 1052

The Magistrates' Courts Fees Order 2008

Citation and commencement

1. This Order may be cited as the Magistrates' Courts Fees Order 2008 and shall come into force on 1st May 2008.

Fees payable

2. The fees set out in column 2 of Schedule 1 are payable in magistrates' courts in respect of the items described in column 1 in accordance with and subject to the directions specified in that column.

3.—(1) No fee is payable in respect of—

- (a) criminal matters (except for the supply of a document prepared for use in connection with a criminal matter but which is for use in connection with a matter which is not a criminal matter);
- (b) any summons, warrant, notice or order issued, given or made under sections 83(1) or (2), 88, 89 or 136 of the Magistrates' Courts Act 1980⁽¹⁾, or under any rule made for the purpose of those provisions; or
- (c) binding over proceedings.

(2) In this article, "binding over proceedings" means any proceedings instituted (whether by way of complaint under section 115 of the Magistrates' Courts Act 1980 or otherwise) with a view to obtaining from a magistrates' court an order requiring a person to enter into a recognizance to keep the peace or to be of good behaviour.

4. Where by any convention entered into by Her Majesty with any foreign power it is provided that no fee is required to be paid in respect of any proceedings, the fees specified in this Order are not payable in respect of those proceedings.

Remissions and part remissions

5. Schedule 2 applies for the purpose of ascertaining whether a party is entitled to a remission or part remission of a fee prescribed by this Order.

Revocations

6. The instruments listed in column 1 of the table in Schedule 3 (which have the references listed in column 2) are revoked.

Transitional provision

7. Fees 10.2(b) and (c) are not payable in respect of an issues resolution hearing, pre-hearing review or final hearing which has been listed on any day between 1st May 2008 and 14th May 2008 inclusive.

(1) 1980 c.43.

Status: This is the original version (as it was originally made).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

Signed by authority of the Lord Chancellor

3rd April 2008

Bridget Prentice
Parliamentary Under Secretary of State
Ministry of Justice

We consent,

7th April 2008

Steve McCabe
Claire Ward
Two of the Lords Commissioners of Her
Majesty's Treasury