

STATUTORY INSTRUMENTS

2008 No. 1053

The Civil Proceedings Fees Order 2008

Citation and commencement

1.—(1) This Order may be cited as the Civil Proceedings Fees Order 2008 and shall come into force on 1st May 2008.

(2) In this Order—

- ^{F1}(a)
- (b) “the CPR” means the Civil Procedure Rules 1998 ^{M1};
- (c) “LSC” means the Legal Services Commission established under section 1 of the Access to Justice Act 1999 ^{M2};
- (d) expressions also used in the CPR have the same meaning as in those Rules.

Textual Amendments

F1 Art. 1(2)(a) omitted (18.5.2021) by virtue of [The Civil Proceedings Fees \(Amendment\) Order 2021 \(S.I. 2021/588\)](#), arts. 1(1), **2(2)**

Marginal Citations

M1 [S.I. 1998/3132](#).

M2 [1999 c.22](#). Sections 1 and 9 were amended by [S.I. 2005/3429](#).

Fees payable

2. The fees set out in column 2 of Schedule 1 are payable in the [^{F2}Senior Courts of England and Wales] and in [^{F3}the County Court] in respect of the items described in column 1 in accordance with and subject to the directions specified in that column.

Textual Amendments

F2 Words in art. 2 substituted (6.3.2017) by [The Civil Proceedings Fees \(Amendment\) Order 2016 \(S.I. 2016/1191\)](#), arts. 1, **2(2)** (with art. 3)

F3 Words in art. 2 substituted (22.4.2014) by [The Civil Proceedings Fees \(Amendment\) Order 2014 \(S.I. 2014/874\)](#), arts. 1, **2(3)**

3. No fee is payable in respect of—

- (a) non-contentious probate business;
- (b) the enrolment of documents;
- (c) criminal proceedings (except proceedings on the Crown side of the Queen's Bench Division to which the fees in Schedule 1 are applicable);

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Civil Proceedings Fees Order 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (d) proceedings by sheriffs, under-sheriffs, deputy-sheriffs or other officers of the sheriff; or
- (e) family proceedings in the High Court or in ^{F4}the County Court].

Textual Amendments

F4 Words in art. 3(e) substituted (22.4.2014) by [The Civil Proceedings Fees \(Amendment\) Order 2014 \(S.I. 2014/874\)](#), arts. 1, **2(4)**

- ^{F5}**3A.**—(1) In proceedings under the Guardianship (Missing Persons) Act 2017—
- (a) fee 2.4(a) (application on notice where no other fee is specified); and
 - (b) fee 2.5(a) (application by consent or without notice where no other fee is specified);
- are not payable by the Public Guardian.
- (2) For the purpose of this regulation, “Public Guardian” has the meaning given in section 57 of the Mental Capacity Act 2005.]

Textual Amendments

F5 [Art. 3A](#) inserted (22.7.2019) by [The Court Fees \(Miscellaneous Amendments\) Order 2019 \(S.I. 2019/1063\)](#), arts. 1, **4(2)**

- ^{F6}**3B.** Fees 2.4(a) (on an application on notice where no other fee is specified) and 2.5(a) (on an application by consent or without notice where no other fee is specified) in Schedule 1 (fees to be taken) are not payable in respect of any application made by reference to sections 85F-K of the Courts Act 2003 for an order or direction of the court relating to cross-examination in person of a party to or witness in the proceedings.]

Textual Amendments

F6 [Art. 3B](#) inserted (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Civil and Family Proceedings Fees \(Amendment\) Order 2022 \(S.I. 2022/540\)](#), arts. 1(1), **2(2)**

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

- ^{F7}**5.**—(1) Subject to paragraph (2), 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.
- (2) Schedule 2 does not apply to—
- ^{F8}(a) fee ^{F9}1.1] if the fee relates to proceedings to recover a sum of money in cases brought by Money Claim OnLine users; or]
 - (b) fee 8.8 (fee payable on a consolidated attached of earnings order or an administration order).]

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Textual Amendments

- F7** Art. 5 substituted (7.10.2013) by [The Courts and Tribunals Fee Remissions Order 2013 \(S.I. 2013/2302\)](#), arts. 1, **6(2)** (with art. 13)
- F8** Art. 5(2)(a) substituted (9.3.2015) by [The Civil Proceedings and Family Proceedings Fees \(Amendment\) Order 2015 \(S.I. 2015/576\)](#), arts. 1, **2(2)**
- F9** Word in art. 5(2)(a) substituted (18.5.2021) by [The Civil Proceedings Fees \(Amendment\) Order 2021 \(S.I. 2021/588\)](#), arts. 1(1), **2(3)**

Revocations

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

Signed by authority of the Lord Chancellor

Ministry of Justice

Bridget Prentice
Parliamentary Under Secretary of State

We consent,

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

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 1 table sum substituted by [S.I. 2024/476 Sch. 4](#)
- Sch. 1 table words omitted by [S.I. 2024/476 art. 6\(5\)\(a\)](#)
- art. 1(2)(c) omitted by [S.I. 2024/476 art. 6\(2\)](#)
- art. 5(2)(a) substituted by [S.I. 2024/476 art. 6\(4\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 3C inserted by [S.I. 2024/476 art. 6\(3\)](#)
- art. 3D3E inserted by [S.I. 2024/538 art. 2\(2\)](#)