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STATUTORY INSTRUMENTS

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**2016 No. 1138**

**ARMORIAL BEARINGS, ENSIGNS AND FLAGS**

The Lyon Court and Office Fees (Variation)  
(Reserved Functions) Order 2016

<i>Made</i>	- - - -	<i>22nd November</i> <i>2016</i>
<i>Laid before Parliament</i>		<i>24th November 2016</i>
<i>Coming into force</i>	- -	<i>1st January 2017</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 5 of, as read with paragraph 3 of Schedule 3 to, the Public Expenditure and Receipts Act 1968(1).

**Citation, commencement, extent and interpretation**

1.—(1) This Order may be cited as the Lyon Court and Office Fees (Variation) (Reserved Functions) Order 2016 and comes into force on 1st January 2017.

(2) This Order extends to Scotland only.

(3) In this Order “the 1867 Act” means the Lyon King of Arms Act 1867(2).

**Variation of fees**

2. Schedule B to the 1867 Act(3) is amended in accordance with article 3 of this Order.

3.—(1) For the period from the coming into force of this Order until 31st December 2017, the table set out in Schedule 1 to this Order is substituted for the table in Part 1 of Schedule B to the 1867 Act.

(2) For the period from 1st January 2018 to 31st December 2018, the table set out in Schedule 2 to this Order is substituted for the table in Part 1 of Schedule B to the 1867 Act.

(3) For the period from 1st January 2019, the table set out in Schedule 3 to this Order is substituted for the table in Part 1 of Schedule B to the 1867 Act.

4. The Lyon Court and Office Fees (Variation) Order 2008(4) is revoked.

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(1) 1968 c.14.

(2) 1867 c.17.

(3) Schedule B was relevantly amended by article 3, and Schedules 1 and 2, to [S.I. 2008/1166](#) and by article 3, and the Schedule, to [S.S.I. 2008/168](#).

(4) [S.I. 2008/1166](#).

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22nd November 2016

*David Mundell*  
Secretary of State  
Scotland Office

## SCHEDULE 1

Article 3(1)

## PART 1

## Fees payable in respect of reserved functions

<i>Column 1</i> <i>(Matter to which fee relates)</i>	<i>Column 2</i> <i>(Fee payable from 1st January 2017)</i>  £
1. On every patent of arms	700.00
2. On every patent of crest	600.00
3. On every patent of supporters	460.00
4. On every patent of arms with supporters to a commercial organisation	2500.00
5. On every patent of arms without supporters to a commercial organisation	1900.00
6. On lodging a petition in respect of paragraphs 1, 2, 3 and 4 (which sum is then deducted from the total fees due on completion)	350.00
7. On every reprographic extract from a digital image of a register	
Maximum charge	100.00
8. On every other extract from a register	30.00
9. On affixing seal of office to warrant, decree or precept	30.00
10. On the appointment of a herald	10.00
11. On the appointment of a pursuivant	10.00

Note: In Part 1—

- (a) “commercial organisation” means—
- (i) any partnership within the meaning of section 1 (definition of partnership) of the Partnership Act 1890<sup>(5)</sup>;
  - (ii) any limited liability partnership incorporated under section 2 (incorporation document etc.) of the Limited Liability Partnerships Act 2000<sup>(6)</sup>;
  - (iii) any company registered under the Companies Acts; or
  - (iv) any overseas company having an established place of business in the United Kingdom,

but does not include companies registered for charitable purposes, community interest companies within the meaning of Part 2 (community interest companies) of the Companies (Audit, Investigations and Community Enterprise) Act 2004<sup>(7)</sup> or private companies limited by guarantee; and

(5) 1890 c.39; section 1 of the 1890 Act was amended by paragraph 2 of Schedule 1 to S.I. 2009/1941 and section 1 of, and Part X of Schedule 1 to, the Statute Law (Repeals) Act 1998 c.43.

(6) 2000 c.12; section 2 was modified by paragraphs 1(2), 1(3), 1(4)(a), 1(4)(b), 1(4)(c), and 1(6) of Part 1 of Schedule 3 to S.I. 2009/1804; and amended by paragraph 1(6) of Part 1 of Schedule 3 to S.I. 2009/1804 and paragraphs 1(a) and (b) of Schedule 3 to S.I. 2016/340.

(7) 2004 c.27.

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<i>Column 1</i>	<i>Column 2</i>
<i>(Matter to which fee relates)</i>	<i>(Fee payable from 1st January 2017)</i>
	£

- (b) in paragraph (a) “Companies Acts” means the Companies Act 2006<sup>(8)</sup>, any Act amending or replacing that Act and any former enactment relating to companies.

## SCHEDULE 2

Article 3(2)

## PART 1

## Fees payable in respect of reserved functions

<i>Column 1</i>	<i>Column 2</i>
<i>(Matter to which fee relates)</i>	<i>(Fee payable from 1st January 2018)</i>
	£
1. On every patent of arms	725.00
2. On every patent of crest	620.00
3. On every patent of supporters	475.00
4. On every patent of arms with supporters to a commercial organisation	2800.00
5. On every patent of arms without supporters to a commercial organisation	2300.00
6. On lodging a petition in respect of paragraphs 1, 2, 3 and 4 (which sum is then deducted from the total fees due on completion)	400.00
7. On every reprographic extract from a digital image of a register	
Maximum charge	100.00
8. On every other extract from a register	35.00
9. On affixing seal of office to warrant, decree or precept	35.00
10. On the appointment of a herald	10.00
11. On the appointment of a pursuivant	10.00

Note: In Part 1—

- (a) “commercial organisation” means—
- (i) any partnership within the meaning of section 1 (definition of partnership) of the Partnership Act 1890;

<sup>(8)</sup> 2006 c.46.

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<i>Column 1</i>	<i>Column 2</i>
<i>(Matter to which fee relates)</i>	<i>(Fee payable from 1st January 2018)</i>
	£

- (ii) any limited liability partnership incorporated under section 2 (incorporation document etc.) of the Limited Liability Partnerships Act 2000;
  - (iii) any company registered under the Companies Acts; or
  - (iv) any overseas company having an established place of business in the United Kingdom,
- but does not include companies registered for charitable purposes, community interest companies within the meaning of Part 2 (community interest companies) of the Companies (Audit, Investigations and Community Enterprise) Act 2004 or private companies limited by guarantee; and
- (b) in paragraph (a) “Companies Acts” means the Companies Act 2006, any Act amending or replacing that Act and any former enactment relating to companies.

SCHEDULE 3

Article 3(3)

PART 1

Fees payable in respect of reserved functions

<i>Column 1</i>	<i>Column 2</i>
<i>(Matter to which fee relates)</i>	<i>(Fee payable from 1st January 2019)</i>
	£
1. On every patent of arms	750.00
2. On every patent of crest	640.00
3. On every patent of supporters	490.00
4. On every patent of arms with supporters to a commercial organisation	3000.00
5. On every patent of arms without supporters to a commercial organisation	2500.00
6. On lodging a petition in respect of paragraphs 1, 2, 3 and 4 (which sum is then deducted from the total fees due on completion)	450.00
7. On every reprographic extract from a digital image of a register	
Maximum charge	100.00
8. On every other extract from a register	40.00
9. On affixing seal of office to warrant, decree or precept	40.00
10. On the appointment of a herald	10.00

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<i>Column 1</i> <i>(Matter to which fee relates)</i>	<i>Column 2</i> <i>(Fee payable from 1st January 2019)</i>  £
11. On the appointment of a pursuivant	10.00

Note: In Part 1—

- (a) “commercial organisation” means—
- (i) any partnership within the meaning of section 1 (definition of partnership) of the Partnership Act 1890;
  - (ii) any limited liability partnership incorporated under section 2 (incorporation document etc.) of the Limited Liability Partnerships Act 2000;
  - (iii) any company registered under the Companies Acts; or
  - (iv) any overseas company having an established place of business in the United Kingdom,
- but does not include companies registered for charitable purposes, community interest companies within the meaning of Part 2 (community interest companies) of the Companies (Audit, Investigations and Community Enterprise) Act 2004 or private companies limited by guarantee; and
- (b) in paragraph (a) “Companies Acts” means the Companies Act 2006, any Act amending or replacing that Act and any former enactment relating to companies.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order varies the fees payable in respect of reserved functions in Schedule B to the Lyon King of Arms Act 1867 by replacing them with the fees listed in Schedules 1 to 3 to this Order for set periods of time—

- The fee levels for the period from 1st January 2017 to 31st December 2017 are set out in Schedule 1;
- The fee levels for the period from 1st January 2018 to 31st December 2018 are set out in Schedule 2; and
- The fee levels from 1st January 2019 are set out in Schedule 3.

Article 4 revokes the Lyon Court and Office Fees (Variation) Order 2008.

The Lyon Court and Office Fees (Variation) (Devolved Functions) Order 2016 makes provision for the fees payable in respect of devolved functions in Schedule B to the Lyon King of Arms Act 1867.

A full regulatory impact assessment has not been produced for this instrument as no, or no significant impact on the private or voluntary sectors is foreseen.