

2020 No. 720 (L. 15)

SENIOR COURTS OF ENGLAND AND WALES

COUNTY COURT, ENGLAND AND WALES

FAMILY PROCEEDINGS, ENGLAND AND WALES

MAGISTRATES' COURTS, ENGLAND AND WALES

The Court Fees (Miscellaneous Amendments) Order 2020

Made - - - - - *8th July 2020*

Laid before Parliament *13th July 2020*

Coming into force in accordance with article 1

The Lord Chancellor, with the consent and sanction of the Treasury, makes the following Order in exercise of the powers conferred by section 92(1) and (2) of the Courts Act 2003(a) and section 414 of the Insolvency Act 1986(b).

The Lord Chancellor has consulted the Lord Chief Justice, the Master of the Rolls, the President of the Queen's Bench Division, the President of the Family Division, the Chancellor of the High Court, the Head of Civil Justice, and the Deputy Head of Civil Justice as required by section 92(5) of the Courts Act 2003, and the Civil Justice Council as required by section 92(6) of the Courts Act 2003.

Citation and commencement

1. This Order may be cited as the Court Fees (Miscellaneous Amendments) Order 2020 and comes into force on the twenty-first day after the day on which it is laid.

Amendments to the Non-Contentious Probate Fees Order 2004

2.—(1) The table in Schedule 1 (fees to be taken) to the Non-Contentious Probate Fees Order 2004(c) is amended as follows.

(2) In the entry for fee 4 (caveats), for the amount in column 2 substitute “£3”.

(3) In the entry for fee 5 (search), for the amount in column 2 substitute “£3”.

(a) 2003 c. 39. Section 92 was amended by paragraph 345 of Schedule 4 and paragraph 4 of Schedule 11 to the Constitutional Reform Act 2005 (c. 4) and by paragraph 40(a) of Schedule 9 and paragraph 95 of Schedule 10 to the Crime and Courts Act 2013 (c. 22).

(b) 1986 c. 45. Section 414 was amended by sections 126 and 161 of the Banking Act 2009 (c. 1), S.I. 2007/2194, 2009/805, and by S.S.I. 2015/150.

(c) S.I. 2004/3120; relevant amending instruments are S.I. 2011/588, 2013/1408, 2014/876, 2019/1063.

- (4) In the entry for fee 8 (copy documents)—
- (a) in the entry for (b) in column 1, for the semi-colon after “form, for each such copy” substitute a full stop;
 - (b) omit the entries for (c) in columns 1 and 2.
- (5) In the entry for fee 11 (settling documents), for the amount in column 2 substitute “£4”.

Amendments to the Civil Proceedings Fees Order 2008

3.—(1) The table in Schedule 1 (fees to be taken) to the Civil Proceedings Fees Order 2008(a) is amended as follows.

- (2) In the entry for fee 2.6, for the amount in column 2 substitute “£21”.
- (3) In the entry for fee 2.7, for the amount in column 2 substitute “£14”.
- (4) In the entry for fee 2.8, for the amount in column 2 substitute “£14”.
- (5) In the entry for fee 3.9, for the amount in column 2 substitute “£35”.
- (6) In the entry for fee 3.10, for the amount in column 2 substitute “£35”.
- (7) In the entry for fee 11.1, for the amount in column 2 substitute “£18”.

Amendments to the Family Proceedings Fees Order 2008

4.—(1) The table in Schedule 1 (fees to be taken) to the Family Proceedings Fees Order 2008(b) is amended as follows.

- (2) In the entry for fee 2.1(u), for the amount in column 2 substitute “£72”.
- (3) In the entry for fee 9.1, for the amount in column 2 substitute “£94”.
- (4) In the entry for fee 12.2, for the amount in column 2 substitute “£77”.
- (5) In the entry for fee 12.3, for the amount in column 2 substitute “£38”.
- (6) In the entry for fee 12.4, for the amount in column 2 substitute “£73”.
- (7) In the entry for fee 12.5, for the amount in column 2 substitute “£34”.
- (8) In the entry for fee 15.1, for the amount in column 2 substitute “£45”.

Amendments to the Magistrates’ Courts Fees Order 2008

5.—(1) The table in Schedule 1 (fees to be taken) to the Magistrates’ Courts Fees Order 2008(c) is amended as follows.

- (2) In the entry for fee 2.2, for the amount in column 2 substitute “£19”.
- (3) In the entry for fee 4.2, for the amount in column 2 substitute “£25”.

7th July 2020

We consent

8th July 2020

Chris Philp
Parliamentary Under Secretary of State
Ministry of Justice

David Rutley
James Morris
Two of the Lords Commissioners of Her Majesty’s Treasury

(a) S.I. 2008/1053, amended by S.I. 2014/874; there are other amending instruments but none is relevant.
(b) S.I. 2008/1054; relevant amending instruments are S.I. 2014/877, 2015/687, 2015/1419, 2016/211.
(c) S.I. 2008/1052, amended by S.I. 2014/875; there are other amending instruments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Non-Contentious Probate Fees Order 2004 (S.I. 2004/3120, “the Probate Fees Order”), the Civil Proceedings Fees Order 2008 (S.I. 2008/1053), the Magistrates’ Courts Fees Order 2008 (S.I. 2008/1052), and the Family Proceedings Fees Order 2008 (S.I. 2008/1054) so as to reduce the amount of various fees prescribed by those Orders. This Order also deletes a fee for searches of the probate index from the Probate Fees Order.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Ministry of Justice, 102 Petty France, London, SW1H 9AJ and is published with an Explanatory Memorandum alongside the instrument on <https://legislation.gov.uk>.

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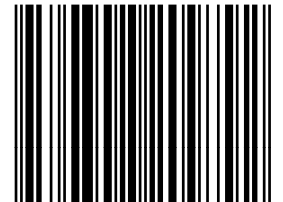
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