

2021 No. 462 (L. 6)

COUNTY COURT, ENGLAND AND WALES

GENDER RECOGNITION

**The Civil Proceedings and Gender Recognition Application Fees
(Amendment) Order 2021**

<i>Made</i>	- - - -	<i>12th April 2021</i>
<i>Laid before Parliament</i>		<i>13th April 2021</i>
<i>Coming into force</i>	- -	<i>4th May 2021</i>

The Lord Chancellor, with the consent of the Treasury, makes the following Order in exercise of the powers conferred by section 92(1) and (2) of the Courts Act 2003 (“the 2003 Act”)(**a**).

The Lord Chancellor has had regard to the principle referred to in section 92(3) of the 2003 Act.

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 2003 Act, and the Civil Justice Council as required by section 92(6) of the 2003 Act.

The Secretary of State makes this Order in exercise of the power conferred by section 7(2) of the Gender Recognition Act 2004(**b**).

Citation, commencement and extent

1.—(1) This Order may be cited as the Civil Proceedings and Gender Recognition Application Fees (Amendment) Order 2021 and comes into force on the twenty-first day after the day on which it is laid.

(2) Subject to paragraph (3), this Order extends to England and Wales, Scotland and Northern Ireland.

(3) Article 2 extends to England and Wales only.

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- (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) 2004 c. 7. Section 7 was amended by section 250(5) of the Civil Partnership Act 2004 (c. 33), paragraph 7 of Schedule 5 to the Marriage (Same Sex Couples) Act 2013 (c. 30), and paragraph 19(1) of Schedule 2 to the Marriage and Civil Partnership (Scotland) Act 2014 (asp 5).

Amendment to the Civil Proceedings Fees Order 2008

2. In the table in Schedule 1 to the Civil Proceedings Fees Order 2008 (fees to be taken)(a), after the entry for fee 1.9(d) insert—

- (a) in column 1, “1.10 On an appeal under regulation 38(9) of the Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020 (applications to the county court).”;
- (b) in column 2, “£5”.

Amendment to the Gender Recognition (Application Fees) Order 2006

3. In article 2 of the Gender Recognition (Application Fees) Order 2006 (application fees)(b) for “£140” substitute “£5”.

8th April 2021

We consent

12th April 2021

Chris Philp
Parliamentary Under Secretary of State
Ministry of Justice

Maggie Throup
Scott Man

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends two statutory instruments which prescribe fees that are payable in respect of certain applications. Article 2 of this Order amends the Civil Proceedings Fees Order 2008 (S.I. 2008/1053) to prescribe a £5 fee payable when bringing an appeal under regulation 38(9) of the Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020 (S.I. 2020/1311) against a decision by a debt advice provider to refuse an application for non-disclosure of a debtor’s usual residential address. Article 3 of this Order amends the Gender Recognition (Application Fees) Order 2006 (S.I. 2006/758) to reduce the fee for making an application for a gender recognition certificate to £5.

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

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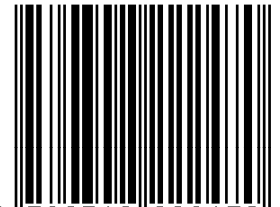
(a) S.I. 2008/1053, amended by S.I. 2014/874; there are other amending instruments but none is relevant.

(b) S.I. 2006/758, amended by S.I. 2013/2302; there are other amending instruments but none is relevant.

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