
STATUTORY INSTRUMENTS

2023 No. 865

The Ecclesiastical Judges, Legal
Officers and Others (Fees) Order 2023

Proceedings before the consistory court

5.—(1) This article applies in relation to proceedings in a consistory court.

(2) In the case of each matter specified in the first column of Table 1, the fee specified in the second or third column is payable to the chancellor or the registrar (as the case may be).

Table 1

	<i>Chancellor</i>	<i>Registrar</i>
	<i>£</i>	<i>£</i>
1. Submission of petition for a faculty.	55	227
2. Application for an injunction or restoration order under section 71 or 72 of the 2018 Measure.	55	227
3. The making of an injunction or restoration order under section 71 or 72 of the 2018 Measure on the court's own initiative.	55	227
4. Application for an order under section 63 of the 2018 Measure.	70	163
5. Application for a determination under section 68(12) of the Mission and Pastoral Measure 2011(1).	115	115
6. Commencement of any other proceedings which a consistory court has jurisdiction to hear and determine.	70	163
7. Application for security for costs (otherwise than at a hearing in respect of which a fee is payable under item 8)—		
(a) at a hearing;	287	227
(b) without a hearing.	143	113
8. The giving of directions or the making of an interlocutory order—		
(a) at a hearing;	282	227
(b) without a hearing.	143	116
9. The making of an order that proceedings are to be determined on the consideration of written representations		115

Status: This is the original version (as it was originally made).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

	<i>Chancellor</i>	<i>Registrar</i>
	£	£
(including the giving of directions for the purpose of determining proceedings on such a consideration).		
10. Consideration of written representations (per hour).	143	
11. The holding of a hearing (other than a hearing solely for giving directions or making an interlocutory order)—		
(a) for each period of half a day or less;	357	284
(b) for each period of more than half a day and up to a whole day.	716	569
12. Inspection of a location, a church or other building or anything else (except where the inspection takes place on the same occasion as a hearing) (per hour).	143	113
13. Preparation of written judgment or form of order (per hour).	143	
14. Application for assessment of costs by the registrar.		227
15. Lodging an appeal to the chancellor against an assessment of costs by the registrar.	238	
16. Application to set aside or amend a faculty, judgment, order or decree.	174	60
17. Application to vary a lease or any term of a lease under section 68(7) of the Mission and Pastoral Measure 2011.	70	163
18. Preparatory or ancillary work, including sending correspondence (per hour).		158

(3) In the case of a matter which comes within item 10, 12, 13 or 18, the chancellor or the registrar (as the case may be) must certify the number of hours spent.

(4) In the case of a matter which comes within item 18, a fee is payable only in exceptional circumstances and if the chancellor so directs.

(5) In the case of a matter for which no fee is specified in Table 1, a fee is payable to the registrar of the amount for the time being prescribed under section 92 of the Courts Act 2003(2) in the case of the equivalent matter in the High Court.

(6) Where the Vicar-General's court of the Province of Canterbury exercises the faculty jurisdiction of the consistory court by virtue of section 43(3) of the 2018 Measure—

- (a) a reference in this article to the chancellor is to be read as a reference to the Vicar-General, and
- (b) a reference in this article to the registrar is to be read as a reference to the registrar of the province of Canterbury acting as registrar of the Vicar-General's court.

(2) 2003 c. 39. Relevant amendments have been made by the Constitutional Reform Act 2005 (c. 4).