

Statutory Instrument 2004 No. 3121 (L. 23)

The Civil Proceedings Fees Order 2004

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STATUTORY INSTRUMENTS

2004 No. 3121 (L. 23)

SUPREME COURT OF ENGLAND AND WALES COUNTY COURTS, ENGLAND AND WALES

The Civil Proceedings Fees Order 2004

Made

25th November 2004

Laid before Parliament

30th November 2004

Coming into force

4th January 2005

The Lord Chancellor, in exercise of the powers conferred upon him by sections 92 and 108(6) of the Courts Act 2003[[1](#)], sections 414 and 415 of the Insolvency Act 1986[[2](#)], and section 128 of the Finance Act 1990[[3](#)], with the consent of the Treasury under section 92(1) of the Courts Act 2003 and after consultation with the Lord Chief Justice, the Master of the Rolls, the President of the Family Division, the Vice-Chancellor, the Head of Civil Justice and the Deputy Head of Civil Justice and the Civil Justice Council under section 92(5) and (6) of the Courts Act 2003 and with the sanction of the Treasury under sections 414(1) and 415(1) of the Insolvency Act 1986, hereby makes the following Order:

Citation, commencement and interpretation

1. - (1) This Order may be cited as the Civil Proceedings Fees Order 2004 and shall come into force on the 4th January 2005.

(2) In this Order -

- (a) a fee referred to by number means the fee so numbered in Schedule 1 to this Order;
- (b) "CCBC" means County Court Bulk Centre;
- (c) "CPC" means Claim Production Centre;
- (d) "the CPR" means the Civil Procedure Rules 1998[[4](#)];
- (e) expressions also used in the CPR have the same meaning as in those Rules;
- (f) "family proceedings" means family proceedings in the High Court or in a county court as appropriate;
- (g) "LSC" means the Legal Services Commission established under section 1 of the Access to Justice Act 1999[[5](#)];

- (h) "Funding Code" means the code approved under section 9 of the Access to Justice Act 1999^[6];
- (i) "GLO" means a Group Litigation Order.

Fees to be taken

2. The fees set out in column 2 of Schedule 1 to this Order shall be taken in the Supreme Court and in county courts respectively in respect of the items described in column 1 in accordance with and subject to the directions specified in column 1.

3. The provisions of this Order shall not apply to -

- (a) non-contentious probate business;
- (b) proceedings in the Court of Protection, except in so far as fees 1, 2, 3, 6, 9 and 10 in Schedule 1 (High Court only) are applicable;
- (c) the enrolment of documents;
- (d) criminal proceedings (except proceedings on the Crown side of the Queen's Bench Division to which the fees contained in Schedule 1 are applicable);
- (e) proceedings by sheriffs, under-sheriffs, deputy-sheriffs or other officers of the sheriff; and
- (f) family proceedings.

Exemptions, reductions, remissions and refunds

4. - (1) No fee shall be payable under this Order by a party who, at the time when a fee would otherwise become payable -

- (a) is in receipt of any qualifying benefit, and
- (b) is not in receipt of, as appropriate, either -
 - (i) representation under Part IV of the Legal Aid Act 1988^[7] for the purposes of the proceedings; or
 - (ii) funding provided by the LSC for the purposes of the proceedings and for which a certificate has been issued under the Funding Code certifying a decision to fund services for that party.

(2) The following are qualifying benefits for the purposes of paragraph (1)(a) above -

(a) income support under the Social Security Contributions and Benefits Act 1992^[8];

(b) working tax credit, provided that -

(i) child tax credit is being paid to the party, or otherwise following a claim for child tax credit made jointly by the members of a married couple or an unmarried couple (as defined respectively in section 3(5) and (6) of the Tax Credits Act 2002^[9] which includes the party; or

(ii) there is a disability element or severe disability element (or both) to the tax credit received by the party;

and that the gross annual income taken into account for the calculation of the working tax credit is £14,600 or less;

(c) income-based jobseeker's allowance under the Jobseekers Act 1995^[10]; and

(d) guarantee credit under the State Pension Credit Act 2002^[11].

(3) In the county courts paragraph (1) shall not apply to fee 7.8 (fee payable on a consolidated attachment of earnings order or an administration order).

5. Where it appears to the Lord Chancellor that the payment of any fee prescribed by this Order would, owing to the exceptional circumstances of the particular case, involve undue financial hardship, he may reduce or remit the fee in that case.

6. - (1) Subject to paragraph (2), where a fee has been paid at a time -

(a) when, under article 4, it was not payable, the fee shall be refunded;

(b) where the Lord Chancellor, if he had been aware of all the circumstances, would have reduced the fee under article 5, the amount by which the fee would have been reduced shall be refunded; and

(c) where the Lord Chancellor, if he had been aware of all the circumstances, would have remitted the fee under article 5, the fee shall be refunded.

(2) No refund shall be made under paragraph (1) unless the party who paid the fee applies within 6 months of paying the fee.

(3) The Lord Chancellor may extend the period of 6 months referred to in paragraph (2) if he considers that there is good

reason for an application being made after the end of the period of 6 months.

7. Where by any convention entered into by Her Majesty with any foreign power it is provided that no fee shall be required to be paid in respect of any proceedings, the fees specified in this Order shall not be taken in respect of those proceedings.

Revocations

8. The Orders specified in Schedule 2, in so far as they were made under sections 414 and 415 of the Insolvency Act 1986 and section 128 of the Finance Act 1990, shall be revoked.

Falconer of Thoroton,
C

Dated 22nd November 2004

We consent,

John Heppell

Nick Ainger
Two of the Lords Commissioners of Her Majesty's Treasury

Dated 25th November 2004

SCHEDULE 1

Article 2

Fees to be Taken

<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>

1. Commencement of proceedings (High Court and county court)	
1.1 On the commencement of originating proceedings in the High Court (including originating proceedings issued after leave to issue is granted) to recover a sum of money where the sum claimed:	
(a) does not exceed £50,000	£400
(b) exceeds £50,000 but does not exceed £100,000	£700
(c) exceeds £100,000 but does not exceed £150,000	£900
(d) exceeds £150,000 but does not exceed £200,000	£1,100
(e) exceeds £200,000 but does not exceed £250,000	£1,300
(f) exceeds £250,000 but does not exceed £300,000	£1,500
(g) exceeds £300,000 or is not limited	£1,700

<p>1.2 On the commencement of originating proceedings in the county court (including originating proceedings issued after leave to issue is granted) to recover a sum of money, except in CPC cases brought by Centre users:</p>	
(a) does not exceed £300	£30
(b) exceeds £300 but does not exceed £500	£50
(c) exceeds £500 but does not exceed £1,000	£80
(d) exceeds £1,000 but does not exceed £5,000	£120
(e) exceeds £5,000 but does not exceed £15,000	£250
(f) exceeds £15,000 but does not exceed £50,000	£400
(g) exceeds £50,000 but does not exceed £100,000	£700
(h) exceeds £100,000 but does not exceed £150,000	£900
(i) exceeds £150,000 but does not exceed £200,000	£1,100

(j) exceeds £200,000 but does not exceed £250,000	£1,300
(k) exceeds £250,000 but does not exceed £300,000	£1,500
(l) exceeds £300,000 or is not limited	£1,700
1.3 On the commencement of originating proceedings in the county court to recover a sum of money in Claim Production Centre cases brought by Centre users, where the sum claimed:	
(a) does not exceed £300	£20
(b) exceeds £300 but does not exceed £500	£40
(c) exceeds £500 but does not exceed £1,000	£70
(d) exceeds £1,000 but does not exceed £5,000	£110
(e) exceeds £5,000 but does not exceed £15,000	£240
(f) exceeds £15,000 but does not exceed £50,000	£390

(g) exceeds £50,000 but does not exceed £100,000	£690
Fee 1.3	
Claims above £99,999.99 cannot be issued through the Claim Production Centre. Parties should issue the claim in the relevant court.	
1.4 On the commencement of originating proceedings for any other remedy or relief (including originating proceedings issued after leave to issue is granted):	
- in the High Court	£400
- in the county court	£150
Fees 1.1, 1.2 and 1.4 Recovery of land or goods	
Where a claim for money is additional or alternative to a claim for recovery of land or goods, only fee 1.4 shall be payable.	
Fees 1. 1, 1.2 and 1.4 Claims other than recovery of land or goods	
Where a claim for money is additional to a non money claim (other than a claim for recovery of land or goods), then fee 1.1 or fee 1.2 as appropriate shall be payable in addition to fee 1.4.	
Where a claim for money is alternative to a non money claim (other than a claim for recovery of land or goods), only fee 1.1 shall be payable in the High Court, and, in the county court, fee 1.2 or fee 1.4 shall be payable, whichever is the greater.	

Fees 1.1 or 1.2 as appropriate and 1.4 - Generally	
Where more than one non money claim is made in the same proceedings, fee 1.4 shall be payable once only, in addition to any fee which may be payable under fee 1.1 or fee 1.2 as appropriate.	
Fees 1.1 or fee 1.2 as appropriate and fee 1.4 shall not be payable where fee 1.7(b), fee 1.8(a) (in the High Court only), fee 9.1 (in the High Court only) or fee 3 apply.	
Fees 1.1 or 1.2 as appropriate and 1.4 - Amendment of claim or counterclaim	
Where the claim or counterclaim is amended, and the fee paid before amendment is less than that which would have been payable if the document, as amended, had been so drawn in the first instance, the party amending the document shall pay the difference.	
1.5 On the filing of proceedings against a party or parties not named in the originating proceedings:	
- in the High Court	£50
- in the county court	£30
Fee 1.5	
Fee 1.5 shall be payable by a defendant who adds or substitutes a party or parties to the proceedings or by a claimant who adds or substitutes a defendant or defendants.	
1.6 On the filing of a counterclaim	The same fee as if the relief or remedy sought were the subject of separate proceedings

Fee 1.6	
No fee is payable on a counterclaim which a defendant is required to make under the CPR because he contends that he has any claim or is entitled to any remedy relating to a grant of probate of a will, or letters of administration of an estate, of a deceased person.	
1.7	
(a) On an application for leave to issue originating proceedings:	
- in the High Court	£50
- in the county court	£30
(b) On an application for an order under Part III of the Solicitors Act 1974 [12] for the assessment of costs payable to a solicitor by his client or on the commencement of costs-only proceedings	
- in the High Court	£50
- in the county court	£30
1.8	£50
(a) On the commencement of the judicial review procedure (applies to High Court only)	

Where the court has made an order giving permission to proceed with a claim for judicial review, there shall be payable by the claimant within 7 days of service on the claimant of that order:	
1.8 (b)if the judicial review procedure has been commenced	£180
1.8 (c)if the claim for judicial review was commenced otherwisethan by using the judicial review procedure	£50
2. General Fees (High Court and county court)	
2.1 On the claimant filing an allocation questionnaire; or	
○ where the court dispenses with the need for an allocation questionnaire, within 14 days of the date of despatch of the notice of allocation to track; or	
○ where the CPR or a Practice Direction provide for automatic allocation or provide that the rules on allocation shall not apply, within 28 days of the filing of the defence (or the filing of the last defence if there is more than one defendant), or within 28 days of the expiry of the time permitted for filing all defences if sooner	

- in the High Court	£200
- in the county court	£100
Fee 2.1	
Fee 2.1 shall be payable by the claimant except where the action is proceeding on the counterclaim alone, when it shall be payable by the defendant -	
o on the defendant filing an allocation questionnaire; or	
o where the court dispenses with the need for an allocation questionnaire, within 14 days of the date of despatch of the notice of allocation to track; or	
o where the CPR or a Practice Direction provide for automatic allocation or provide that the rules on allocation shall not apply, within 28 days of the filing of the defence to the counterclaim (or the filing of the last defence to the counterclaim if there is more than one party entitled to file a defence to a counterclaim), or within 28 days of the expiry of the time permitted for filing all defences to the counterclaim if sooner	
2.2 On the claimant filing a listing questionnaire; or where the court fixes the trial date or trial week without the need for a listing questionnaire, within 14 days of the date of despatch of the notice (or the date when oral notice is given if no written notice is given) of the trial week or the trial date if no trial week is fixed	
- in the High Court	£600

- in the county court if the case is on the multi-track	£500
- in the county court in any other case	£275
Fee 2.2	
Fee 2.2 shall be payable by the claimant except where the action is proceeding on the counterclaim alone, when it shall be payable by the defendant -	
- on the defendant filing a listing questionnaire; or	
- where the court fixes the trial date or trial week without the need for a listing questionnaire, within 14 days of the date of despatch of the notice (or the date when oral notice is given if no written notice is given) of the trial week or the trial date if no trial week is fixed.	
Where the court receives notice in writing -	
- before the trial date has been fixed or,	
- where a trial date has been fixed, at least 14 days before the trial date,	
from the party who paid fee 2.2 that the case is settled or discontinued, fee 2.2 shall be refunded.	
Fees 2.1 and 2.2 Generally in the High Court	
Fees 2.1 and 2.2 shall be payable as appropriate where the court allocates a case to track for a trial of the assessment of damages.	
Fees 2.1 and 2.2 shall not be payable in relation to claims managed under a GLO after that GLO is made.	

Fees 2.1 and 2.2 shall be payable once only in the same proceedings.	
Fee 2.1 shall not be payable where the procedure in Part 8 of the CPR is used.	
Fees 2.1 and 2.2 Generally in the county court	
Fees 2.1 and 2.2 shall be payable once only in the same proceedings.	
Fees 2.1 and 2.2 shall be payable as appropriate where the court allocates a case to a track for a trial of the assessment of damages.	
Fees 2.1 and 2.2 shall not be payable in relation to claims managed under a GLO after that GLO is made.	
Fee 2.1 shall not be payable where the procedure in Part 8 of the CPR is used.	
Fee 2.1 shall not be payable in proceedings where the only claim is a claim to recover a sum of money and the sum claimed does not exceed £1,500.	
Fee 2.2 shall not be payable in respect of a small claims hearing.	
2.4 In the High Court on filing:	£200
- an appellant's notice, or	
- a respondent's notice where the respondent is appealing or wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court.	

2.5 In the county court on filing -	
- an appellant's notice, or	
- a respondent's notice where the respondent is appealing or wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court: -	
(a) in a claim allocated to the small claims track	£80
(b) in all other claims	£100
Fee 2.4 and 2.5	
Fee 2.4 and 2.5 do not apply on appeals against a decision made in detailed assessment proceedings.	
2.6 On an application on notice where no other fee is specified	
- in the High Court	£100
- in the county court	£60
2.7 On an application by consent or without notice for a judgment or order where no other fee is specified	
- in the High Court	£50
- in the county court	£30

For the purpose of fee 2.7 a request for a judgment or order on admission or in default shall not constitute an application and no fee shall be payable.	
Fee 2.7 shall not be payable in relation to an application by consent for an adjournment of a hearing where the application is received by the court at least 14 days before the date set for that hearing.	
Fees 2.6 and 2.7	
Fees 2.6 and 2.7 shall not be payable when an application is made in an appeal notice or is filed at the same time as an appeal notice.	
2.8 On an application for a summons or order for a witness to attend court to be examined on oath or an order for evidence to be taken by deposition , other than an application for which fee 6.2 enforcement in the High Court or for which fee 7.3 is payable	
- in the High Court	£50
- in the county court	£30
2.9 On an application to vary a judgment or suspend enforcement (where more than one remedy is sought in the same application only one fee shall be payable)	
- in the High Court	£50
- in the county court	£30

3. Companies Act 1985^[13] and Insolvency Act 1986^[14] (High Court and county court)	
3.1 On entering a bankruptcy petition:	
(a) if presented by a debtor or the personal representative of a deceased debtor	£150
(b) if presented by a creditor or other person	£190
3.2 On entering a petition for an administration order	£150
3.3 On entering any other petition	£190
One fee only is payable where more than one petition is presented in relation to a partnership.	
3.4 (a) On a request for a certificate of discharge from bankruptcy	£60
3.4 (b) and after the first certificate for each copy	£1
3.5 On an application under the Companies Act 1985 or the Insolvency Act 1986 other than one brought by petition and where no other fee is specified.	£130

Fee 3.5	
Fee 3.5 is not payable where the application is made in existing proceedings.	
3.6 On an application for the conversion of a voluntary arrangement into a winding up or bankruptcy under Article 37 of Council Regulation (EC) No 1346/2000.	£130
3.7 On an application, for the purposes of Council Regulation (EC) No 1346/2000 , for an order confirming creditors' voluntary winding up (where the company has passed a resolution for voluntary winding up, and no declaration under section 89 of the Insolvency Act 1986 has been made).	£30
3.8 On filing	
o a notice of intention to appoint an administrator under paragraph 14 of Schedule B1 to the Insolvency Act 1986 or in accordance with paragraph 27 of that Schedule; or	£30
o a notice of appointment of an administrator in accordance with paragraphs 18 or 29 of that Schedule.	
Fee 3.8	
Where a person pays fee 3.8 on filing a notice of intention to appoint an administrator, no fee shall be payable on that same person filing a notice of appointment of that administrator.	

3.9 On submitting a nominee's report under section 2(2) of the Insolvency Act 1986^[15] or	£30
3.10 On filing documents in accordance with paragraph 7(1) of Schedule A1 to the Insolvency Act 1986	£30
3.11 On an application by consent or without notice within existing proceedings where no other fee is specified	£30
3.12 On an application with notice within existing proceedings where no other fee is specified	£60
Requests and applications with no fee:	
No fee is payable on a request or on an application to the Court by the Official Receiver when applying only in the capacity of Official Receiver to the case (and not as trustee or liquidator), or on an application to set aside a statutory demand.	
4. Copy Documents (High Court, Court of Appeal and county court)	
4.1 On a request for a copy of any document (other than where fee 4.2 applies):	
(a) for the first page (except the first page of a subsequent copy of the same document supplied at the same time)	£1

(b) per page in any other case	20p
Fee 4.1	
Fee 4.1 shall be payable for a faxed copy or for examining a plain copy and marking it as an examined copy.	
Fee 4.1 shall be payable whether or not the copy is issued as an office copy.	
4.2 On a request for a copy of a document required in connection with proceedings and supplied by the party making the request at the time of copying, for each page.	20p
4.3 On a request for a copy of a document on a computer disk or in other electronic form, for each such copy.	£3
5. Determination of costs (Supreme Court and county court)	
<i>Transitional Provision</i>	
<i>Where a bill of costs or a request for detailed assessment or a request for a detailed assessment hearing is filed pursuant to an order made by the court before the coming into operation of this Order, or an application is made to review a taxing officer's decision (in the Supreme Court) or taxation (in the county court) made before the coming into operation of this Order, the fees payable shall be those which applied immediately before this Order came into force.</i>	

<p>5.1 On the filing of a request for detailed assessment where the party filing the request is legally aided or is funded by the LSC and no other party is ordered to pay the costs of the proceedings</p>	
<p>- in the Supreme Court</p>	<p>£120</p>
<p>- in the county court</p>	<p>£100</p>
<p>5.2 On the filing of a request for a detailed assessment hearing in any case where fee 5.1 does not apply; or on the filing of a request for a hearing date for the assessment of costs payable to a solicitor by his client pursuant to an order under Part III of the Solicitors Act 1974</p>	
<p>- in the Supreme Court</p>	<p>£600</p>
<p>- in the county court</p>	<p>£300</p>
<p>Where there is a combined party and party and legal aid, or a combined party and party and LSC, or a combined party and party, legal aid and LSC determination of costs, fee 5.2 shall be attributed proportionately to the party and party, legal aid, or LSC (as the case may be) portions of the bill on the basis of the amount allowed.</p>	
<p>5.3 On a request for the issue of a default costs certificate</p>	
<p>- Supreme Court</p>	<p>£50</p>
<p>- county court</p>	<p>£40</p>

5.4 On an appeal against a decision made in detailed assessment proceedings	
- Supreme Court	£200
- county court	£100
5.5 On applying for the court's approval of a certificate of costs payable from the Community Legal Service Fund.	
- Supreme Court	£50
- county court	£30
Fee 5.5	
Fee 5.5 is payable at the time of applying for the court's approval and is recoverable only against the Community Legal Service Fund.	
5.6 On a request or application to set aside a default costs certificate	
- Supreme Court	£100
- county court	£60
6. Enforcement in the High Court	
6.1 On sealing a writ of execution/possession/delivery	£50
Where the recovery of a sum of money is sought in addition to a writ of possession and delivery, no further fee is payable.	

6.2 On an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement of a judgment or order.	£50
6.3 (a) On an application for a third party debt order or the appointment of a receiver by way of equitable execution	£100
6.3 (b) On an application for a charging order	£100
Fee 6.3(a) and (b)	
Fee 6.3(a) shall be payable in respect of each third party against whom the order is sought.	
Fee 6.3(b) shall be payable in respect of each application issued.	
6.4 On an application for a judgment summons	£100
6.5 On a request or application to register a judgment or order, or for leave to enforce an arbitration award, or for a certificate or a certified copy of a judgment or order for use abroad	£50
7. Enforcement in the county court	

<p>7.1 On an application for or in relation to enforcement of a judgment or order of a county court or through a county court:</p>	
<p>In cases other than CCBC cases brought by Centre users, by the issue of a warrant of execution against goods except a warrant to enforce payment of a fine;</p>	<p>(a) Where the amount for which the warrant issues does not exceed £125£30</p> <p>(b) Where the amount for which the warrant issues exceeds £125£50</p>
<p>In CCBC cases brought by Centre users, by the issue of a warrant of execution against goods except a warrant to enforce payment of a fine</p>	<p>(c) Where the amount for which the warrant issues does not exceed £125£25</p> <p>(d) Where the amount for which the warrant issues exceeds £125£45</p>
<p>7.2 On a request for a further attempt at execution of a warrant at a new address following a notice of the reason for non-execution (except a further attempt following suspension and CCBC cases brought by Centre users)</p>	<p>£20</p>
<p>7.3 On an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement of a judgment or order</p>	<p>£40</p>
<p>7.4</p> <p>(a)On an application for a third party debt order orthe appointment of a receiver by way of equitable execution</p>	<p>£50</p>

7.4 (b) On an application for a charging order	£50
Fee 7.4(a) and (b)	
Fee 7.4(a) shall be payable in respect of each third party against whom the order is sought.	
Fee 7.4(b) shall be payable in respect of each application issued.	
7.5 On an application for a judgment summons	£90
7.6 On the issue of a warrant of possession or a warrant of delivery	£90
Where the recovery of a sum of money is sought in addition, no further fee is payable.	
7.7 On an application for an attachment of earnings order (other than a consolidated attachment of earnings order) to secure payment of a judgment debt	£60
Fee 7.7	
Fee 7.7 is payable for each defendant against whom an order is sought. Fee 7.7 is not payable where the attachment of earnings order is made on the hearing of a judgment summons.	
7.8 On a consolidated attachment of earnings order or on an administration order	For every £1 or part of a £1 of the money paid into court in respect of debts due to creditors10p

Fee 7.8	
Fee 7.8 shall be calculated on any money paid into court under any order at the rate in force at the time when the order was made (or, where the order has been amended, at the time of the last amendment before the date of payment).	
7.9 On the application for the recovery of a tribunal award	£30
7.10 On a request for an order to recover a sum that is:	£5
o a specified debt within the meaning of the Enforcement of Road Traffic Debts Order 1993 [16] as amended from time to time; or	
o pursuant to an enactment, treated as a specified debt for the purposes of that Order	
No fee is payable on:	
o an application for an extension of time to serve a statutory declaration in connection with any such order; or	
o a request to issue a warrant of execution to enforce any such order	
8. Sale (county court only)	

8.1 For removing or taking steps to remove goods to a place of deposit	The reasonable expenses incurred
Fee 8.1 is to include the reasonable expenses of feeding and caring for any animals.	
8.2 For advertising a sale by public auction pursuant to section 97 of the County Courts Act 1984^[17]	The reasonable expenses incurred
8.3 For the appraisalment of goods	5p in the £1 or part of a £1 of the appraised value
8.4 For the sale of goods (including advertisements, catalogues, sale and commission and delivery of goods)	15p in the £1 or part of a £1 on the amount realised by the sale or such other sum as the district judge may consider to be justified in the circumstances
8.5 Where no sale takes place by reason of an execution being withdrawn, satisfied or stopped	(a) 10p in the £1 or part of a £1 on the value of the goods seized, the value to be the appraised value where the goods have been appraised or such other sum as the district judge may consider to be justified in the circumstances; and in addition (b) any sum payable under fee 8.1, 8.2 or 8.3
FEES PAYABLE IN HIGH COURT ONLY	
9. Miscellaneous proceedings or matters (High Court only)	
Bills of Sale	

<p>9.1 On filing any document under the Bills of Sale Acts 1878[18] and the Bills of Sale Act (1878) Amendment Act 1882[19] or on an application under section 15 of the Bills of Sale Act 1878 for an order that a memorandum of satisfaction be written on a registered copy of the bill</p>	£10
<p><i>Searches</i></p>	
<p>9.2 For an official certificate of the result of a search for each name, in any register or index held by the court; or in the Court Funds Office, for an official certificate of the result of a search of unclaimed balances for a specified period of up to 50 years</p>	£5
<p>9.3 On a search in person of the bankruptcy and companies records, including inspection, for each 15 minutes or part of 15 minutes</p>	£5
<p>Judge sitting as arbitrator</p>	
<p>9.4 On the appointment of -</p>	
<p>(a) a judge of the Commercial Court as an arbitrator or umpire under section 93 of the Arbitration Act 1996[20]; or</p>	£1,800
<p>(b) a judge of the Technology and Construction Court as an arbitrator or umpire under section 93 of the Arbitration Act 1996</p>	£1,400

9.5 For every day or part of a day (after the first day) of the hearing before -	
(a) a judge of the Commercial Court; or	£1,800
(b) a judge of the Technology and Construction Court, so appointed as arbitrator or umpire	£1,400
Where fee 9.4 has been paid on the appointment of a judge of the Commercial Court or a judge of the Technology and Construction Court as an arbitrator or umpire but the arbitration does not proceed to a hearing or an award, the fee shall be refunded.	
10. Fees payable in Admiralty Matters (High Court only)	
In the Admiralty Registrar and Marshal's Office -	
10.1 On the issue of a warrant for the arrest of a ship or goods	£100
10.2 On the sale of a ship or goods -	
Subject to a minimum fee of £200,	
(a) for every £100 or fraction of £100 of the price up to £100,000	£1
(b) for every £100 or fraction of £100 of the price exceeding £100,000	50p

Where there is sufficient proceeds of sale in court, fee 10.2 shall be taken by transfer from the proceeds of sale in court.	
10.3 On entering a reference for hearing by the Registrar	£50
FEES PAYABLE IN HIGH COURT AND COURT OF APPEAL ONLY	
11. Affidavits	
11.1 On taking an affidavit or an affirmation or attestation upon honour in lieu of an affidavit or a declaration except for the purpose of receipt of dividends from the Accountant General and for a declaration by a shorthand writer appointed in insolvency proceedings	
- for each person making any of the above	£5
11.2 For each exhibit referred to in an affidavit, affirmation, attestation or declaration for which fee 11.1 is payable	£2
FEES PAYABLE IN COURT OF APPEAL ONLY	
12. Fees payable in appeals to the Court of Appeal	

<p>12.1</p> <p>(a) Where in an appeal notice permission to appeal or an extension of time for appealing is applied for (or both are applied for) -</p>	£200
on filing an appellant's notice, or	
where the respondent is appealing, on filing a respondent's notice	
<p>12.1</p> <p>(b) Where permission to appeal is not required or has been granted by the lower court -</p>	£400
on filing an appellant's notice, or	
on filing a respondent's notice where the respondent is appealing	
<p>12.1</p> <p>(c) On the appellant filing an appeal questionnaire(unless the appellant has paid fee 12.1(b), or on the respondent filing an appeal questionnaire (unless the respondent has paid fee 12.1(b))</p>	£400
<p>12.2 On filing a respondent's notice where the respondent wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court</p>	£200

12.3 On filing an application notice	£200
Fee 12.3	
Fee 12.3 shall not be payable for an application made in an appeal notice.	
FEES PAYABLE IN COUNTY COURT ONLY	
13. Registry of County Court Judgments	
13.1 On a request for the issue of a certificate of satisfaction or on a request for cancellation of the entry of a judgment in the Register where the judgment is satisfied in full within one month of the date of its entry	£10

SCHEDULE 2

Article 8

Orders revoked

<i>Title</i>	<i>Reference</i>
The Supreme Court Fees Order 1999	S.I. 1999/687
The Supreme Court Fees (Amendment) Order 1999	S.I. 1999/2569
The Supreme Court Fees (Amendment) Order 2000	S.I. 2000/641
The Supreme Court Fees (Amendment) Order 2003	S.I. 2003/646
The Supreme Court Fees (Amendment) Order 2004	S.I. 2004/2100

The Supreme Court Fees (Amendment No. 2) Order 2000	S.I. 2000/937
The Supreme Court Fees (Amendment No. 2) Order 2003	S.I. 2003/717
The County Court Fees Order 1999	S.I. 1999/689
The County Court Fees (Amendment) Order 1999	S.I. 1999/2548
The County Court Fees (Amendment) Order 2000	S.I. 2000/639
The County Court Fees (Amendment) Order 2003	S.I. 2003/648
The County Court Fees (Amendment) Order 2004	S.I. 2004/2098
The County Court Fees (Amendment No. 2) Order 2000	S.I. 2000/939
The County Court Fees (Amendment No. 2) Order 2003	S.I. 2003/718
The County Court Fees (Amendment No. 4) Order 2000	S.I. 2000/2310

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Supreme Court Fees Order 1999 (S.I. 1999/687) and the County Court Fees Order 1999 (S.I. 1999/689) replacing both Orders with a combined Civil Proceedings Fees Order and provides for fees increases and some new fees.

The Table below sets out where fees have been increased or new fees introduced.

In addition:

The limit when a fee will not be payable in proceedings in a county court where the claim is a claim to recover a sum of money is raised from £1,000 to £1,500.

Table of Comparison

Supreme Court Fees

<i>Brief Description of New Fee</i>	<i>Old Fee Number</i>	<i>New Fee Number</i>	<i>Old Fee £</i>	<i>New Fee £</i>
1.1(b) Money claim over £50,000 not over £100,000	1.1(b)	1.1(b)	600	700
1.1(c) Money claim over £100,000 not over £150,000	1.1(c)	1.1(c)	700	900
1.1(d) Money claim over £150,000 not over £200,000	1.1(d)	1.1(d)	800	1,100
1.1 (e) Money claim over £200,000 not over £250,000	New Fee	1.1(e)	New Fee	1,300
1.1 (f) Money claim over £250,000 not over £300,000	New Fee	1.1(f)	New Fee	1,500
1.1(g) Money claim over £300,000 or not limited	New Fee	1.1(g)	New Fee	1,700
1.4 Non monetary claim	1.2	1.4	180	400
1.5 On filing of proceedings against party not named in originating proceedings	1.3	1.5	30	50
1.7(a) On an application for leave to issue originating proceedings	1.5(a)	1.7(a)	30	50
1.7(b) On application for an order under Part III of the Solicitors Act 1974	1.5(b)	1.7(b)	30	50
1.8(a) On the commencement of the judicial review procedure	1.6(a)	1.8(a)	30	50
1.8(c) If the claim for judicial review was commenced otherwise	1.6(c)	1.8(c)	30	50

2.1 On the filing of an allocation questionnaire	2.1	2.1	120	200
2.4 On filing an appellant's notice or a respondent's notice	2.3	2.4	100	200
2.6 On an application on notice where no other fee is specified	2.4	2.6	60	100
2.7 On an application by consent or without notice for a judgment or order where no other fee is specified	2.5	2.7	30	50
2.8 On an application for a summons or order for a witness to attend court to be examined on oath	2.6	2.8	30	50
2.9 On an application to vary a judgment	2.7	2.9	30	50
6.1 On sealing a writ of execution/ possession/delivery	3.1	6.1	30	50
6.2 On an application for an order requiring judgment debtor or other person to attend court	3.2	6.2	40	50
6.3(a) On an application for third party debt order or the appointment of a receiver	3.3	6.3(a)	50	100
6.3(b) On an application for a charging order	3.3	6.3(b)	50	100
6.4 On an application for a judgment summons	3.4	6.4	90	100
6.5 On a request or application to register a judgment or order	3.5	6.5	30	50
3.1(a) On entering a bankruptcy petition	6.1(a)	3.1(a)	140	150
3.1(b) On entering a bankruptcy petition	6.1(b)	3.1(b)	180	190

3.2 On entering a petition for an administration order	6.2	3.2	130	150
3.3 On entering any other petition	6.3	3.3	180	190
3.11 On an application by consent or without notice within existing proceedings where no other fee	New Fee	3.11	New Fee	30
3.12 On an application with notice within existing proceedings where no other fee	New Fee	3.12	New Fee	60
12.1(a) Where an appeal notice permission to appeal or extension of time is applied for	9.1(a)	12.1(a)	100	200
12.1(b) Where permission to appeal is not required	9.1(b)	12.1(b)	200	400
12.1(c) On the appellant filing an appeal questionnaire	9.1(c)	12.1(c)	200	400
12.2 On filing a respondent's notice	9.2	12.2	100	200
12.3 On filing an application notice	9.3	12.3	100	200
5.2 On the filing of a request for a detailed assessment hearing where fee 5.1 does not apply	10.2	5.2	250	600
5.3 On a request for issue of a default costs certificate	10.3	5.3	40	50
5.4 On appeal against a decision	10.4	5.4	100	200
5.5 On applying for the court's approval	10.5	5.5	30	50
5.6 on a request or application to set aside a default costs certificate	10.6	5.6	60	100

Table of Comparison

County Court Fees

<i>Brief Description of New Fee</i>	<i>Old Fee Number</i>	<i>New Fee Number</i>	<i>Old Fee £</i>	<i>New Fee £</i>
1.2(g) Money claim over £50,000 not over £100,000	1.1(g)	1.2(g)	600	700
1.2 (h) Money claim over £100,00 not over £150,000	1.1(h)	1.2(h)	700	900
1.2(i) Money claim over £150,000 not over £200,000	1.1(i)	1.2(i)	800	1,100
1.2(j) Money claim over £200,000 not over £250,000	New fee	1.2(j)	New fee	1,300
1.2(k) Money claim over £250,000 not over £300,000	New fee	1.2(k)	New fee	1,500
1.2(l) Money claim over £300,000 or unlimited	New fee	1.2(l)	New fee	1,700
1.3(a) Money claim CPC case not over £300	1.2(a)	1.3(a)	23	20
1.3(b) Money claim CPC case over £300 not over £500	1.2(b)	1.3(b)	43	40
1.3(c) Money claim CPC case over £500 not over £1,000	1.2(c)	1.3(c)	73	70
1.3(d) Money claim CPC case over £1,000 not over £5,000	1.2(d)	1.3(d)	113	110
1.3(e) Money claim CPC case over £5,000 not over £15,000	1.2(e)	1.3(e)	243	240
1.3(f) Money claim CPC case over £15,000 not over £50,000	1.2(f)	1.3(f)	393	390

1.3(g) Money claim CPC case over £50,000 not over £100,000	1.2(g)	1.3(g)	593	690
1.4 Non monetary claim	1.3	1.4	130	150
2.1 On filing an allocation questionnaire	2.1	2.1	80	100
2.2 On filing a listing questionnaire (multi-track)	2.2(a)	2.2	400	500
2.2 On filing a listing questionnaire (any other case)	2.2(b)	2.2	200	275
5.2 On the filing of a request for detailed assessment in any case where fee 5.1 does not apply	3.2	5.2	160	300
3.1(a) On entering a bankruptcy petition	8.1(a)	3.1(a)	140	150
3.1(b) On entering a bankruptcy petition	8.1(b)	3.1(b)	180	190
3.2 On entering a petition for an administration order	8.2	3.2	130	150
3.3 On entering any other petition	8.3	3.3	180	190
3.11 On an application by consent or without notice where no other fee	New Fee	3.11	New Fee	30
3.12 On an application with notice where no other fee	New Fee	3.12	New fee	60

A Regulatory Impact Assessment of the costs and benefits of this Order (and other Orders relating to court fees) was placed in the Libraries of both Houses of Parliament, and is available on the Court Service's website at www.courtservice.gov.uk/cms/usingthecourts.htm

Notes:

[1] 2003 c. 39.[back](#)

[2] 1986 c. 45.[back](#)

[3] 1990 c. 29.[back](#)

[4] S.I. 1998/3132.[back](#)

[5] 1999 c. 22. Section 1 was amended by article 9 of and Schedule 2, paragraph 11(1)(a) to the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887).[back](#)

[6] Section 9 was amended by article 9 of and Schedule 2, paragraph 11(1)(a) to the Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887).[back](#)

[7] 1998 c. 34, Part IV was repealed by section 106 of and Part 1 of Schedule 15 to the Access to Justice Act 1999 (c. 22), from 1 April 2000 subject to the transitional and savings provisions in article 5 of the Access to Justice Act 1999 (Commencement No. 3, Transitional Provisions and Savings) Order 2000 (S.I. 2000/774), in respect of an application for legal aid signed before 1 April 2000 and received by the Legal Aid Board by the 2 May 2000.[back](#)

[8] 1992 c. 4.[back](#)

[9] 2002 c. 21.[back](#)

[10] 1995 c. 18.[back](#)

[11] 2002 c. 16.[back](#)

[12] 1974 c. 47.[back](#)

[13] 1985 c. 6.[back](#)

[14] 1986 c. 45.[back](#)

[15] Section 2(2) was amended by section 2(a) of and Schedule 2, paragraphs 1 and 3(a) to the Insolvency Act 2000 (c. 39).
[back](#)

[16] S.I. 1993/2073.[back](#)

[17] 1984 c. 28.[back](#)

[18] 1878 c. 31, section 15 was repealed, in relation to bills of sale given as security for payment of money in so far as inconsistent with the Bills of Sale Act (1878) Amendment Act 1882, by sections 3 and 15 of that Act.[back](#)

[19] 1882 c. 43.[back](#)

[20] 1996 c. 23.[back](#)

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