
 STATUTORY INSTRUMENTS

1980 No. 821 (L.12)

**SUPREME COURT OF JUDICATURE,
ENGLAND AND WALES**

FEES AND STAMPS

The Supreme Court Fees Order 1980

Made - - - - - 12th June 1980

Coming into Operation 7th July 1980

The Lord Chancellor, the Judges of the Supreme Court and the Treasury, in exercise of the powers and authorities vested in them respectively by section 213 of the Supreme Court of Judicature (Consolidation) Act 1925(a), section 365(3) of the Companies Act 1948(b) and sections 2 and 3 of the Public Offices Fees Act 1879(c), do hereby, according as the provisions of the said enactments respectively authorise and require them, make, advise, concur in, sanction and consent to the following Order:—

1. This Order may be cited as the Supreme Court Fees Order 1980 and shall come into operation on 7th July 1980.

2. In this Order, unless the context otherwise requires—

(a) an Order or rule referred to by number means the Order or rule so numbered in the Rules of the Supreme Court 1965(d) and expressions defined in those Rules shall have the same meaning in this Order;

(b) a fee referred to by number means the fee so numbered in the Schedule to this Order.

3. The fees set out in column 2 of the Schedule to this Order shall be taken in the Supreme Court in respect of the items set out opposite thereto in column 1.

4. The provisions of this Order shall not apply to—

- (i) non-contentious probate business;
- (ii) proceedings in bankruptcy;
- (iii) proceedings in the Court of Protection, except insofar as any fee prescribed in section 1 of the Schedule is applicable;
- (iv) the enrolment of documents;
- (v) criminal proceedings (except proceedings on the Crown side of the Queen's Bench Division to which the scale contained in the Schedule is applicable);
- (vi) proceedings by sheriffs, under-sheriffs, deputy-sheriffs or other officers of the sheriff;
- (vii) matrimonial proceedings.

(a) 1925 c. 49.

(b) 1948 c. 38.

(c) 1879 c. 58.

(d) S.I. 1965/1776, to which there are amendments not relevant to this Order.

5.—(1) Where it appears to the Lord Chancellor that the payment of any fee specified in the Schedule would, owing to the exceptional circumstances of the particular case, involve undue hardship, the Lord Chancellor may reduce or remit the fee in that case.

(2) Where Fee No. 25(a) has been paid on the appointment of a judge of the Commercial Court as an arbitrator or umpire but the arbitration does not proceed to a hearing or an award, the fee shall be refunded.

6. 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.

7.—(1) The fees prescribed by this Order shall, subject to the provisions of paragraph (2) of this Article, be taken in cash as they fall to be paid and the document indicated in column 3 of the Schedule shall be marked by an officer of the court receiving the fee, showing the amount of the fee and the date of its receipt.

(2) Fee No. 26(b) (being the fee payable on the sale of a ship or goods in an Admiralty matter) shall be taken by transfer from money in court.

8. The Supreme Court Fees Order 1975(a) is hereby revoked, save as to any fee or percentage due or payable before the commencement of this Order.

Dated 11th June 1980.

Hailsham of St. Marylebone, C.

Dated 12th June 1980.

*Lane, C.J.
Denning, M.R.
John Arnold, P.*

Dated 12th June 1980.

*Peter Morrison,
J. A. Douglas-Hamilton,
Two of the Lords Commissioners
of Her Majesty's Treasury.*

(a) S.I. 1975/1343; relevant amending instruments are S.I. 1976/1506, 1978/1244, 1979/968.

SCHEDULE

- Section 1 Fees payable in every division of the High Court
 Section 2 Fees payable in Admiralty Matters
 Section 3 Fees payable in the Court of Appeal
 Section 4 Fees payable in the Funds Office
 Section 5 Fees payable on the taxation of costs
 Section 6 Fees payable on proceedings under the Companies Act, 1948

SECTION 1

FEES PAYABLE IN EVERY DIVISION OF THE HIGH COURT

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
A. Commencement of a Cause or Matter		
1. On sealing—		
(a) a writ of summons, or		The filed copy.
(b) an originating summons, except for the payment out of Court of a sum not exceeding £500 and where no other fee is specially provided, or		The filed copy.
(c) an originating notice of motion, except a notice of appeal to the High Court, or		The notice of motion.
(d) on presenting an originating petition, except where a fee under Section 6 of this Schedule is payable:		The petition.
In the case of a writ endorsed with a claim for a liquidated sum not exceeding £2,000.	35.00	
In any other case.	40.00	
2. On sealing an originating summons—		
(a) for approval of an infant settlement,	10.00	The filed copy.
(b) under Part III of the Solicitors Act 1974 for a solicitor's bill to be taxed,	10.00	The filed copy.
(c) under Section 31 (or 32(1)) of the Administration of Justice Act 1970 for discovery before commencement of proceedings,	10.00	The filed copy.
(d) under Section 85 of the County Courts Act 1959 for a witness to be examined abroad.	10.00	The filed copy.
3. On presenting a petition of course.	10.00	The petition.
4. On an application for leave to apply for judicial review under Order 53: Provided that where the applicant obtains leave to move, credit for this fee is to be given against the fee payable in 1.	10.00	The application.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
B. <i>Progress of Proceedings</i> Entering and setting down for trial or in Court—		
5. On entering or setting down any cause or matter including a reference to an Official Referee, for trial, hearing or further consideration in court, except where— (a) it is otherwise provided in this Schedule, or (b) Fee No. 1(c) or 30(a) or (b) has been paid, or (c) in the case of a reference to an Official Referee, this fee has already been paid in respect of the same cause or matter.	20.00	The praecipe or the filed copy of the pleadings.
6. On setting down a cause on motion for judgment.	10.00	The praecipe or notice of motion.
Examination of witness before trial— 7. On the examination of a witness before trial.	5.00	The order.
Inquiries, trials and assessment of damages or interest by Master or Registrar— 8. (a) On an inquiry, reference for trial, or assessment of damages before a Master, District Registrar or Admiralty Registrar or on any summons adjourned for the examination of witnesses,	5.00	The order, summons, judgment or certificate.
(b) On an assessment of interest before a Master or District Registrar.	2.00	Copy judgment.
Appeals to Judge in Chambers in the Queen's Bench Division or Adjournment from Chambers into Court in the Chancery Division—		
9. On sealing a notice of appeal from a Master, District Registrar or Admiralty Registrar to a Judge in Chambers in the Queen's Bench Division.	5.00	The notice.
10. On adjourning from Chambers into court in the Chancery Division— (a) an originating summons, (b) any other summons, or a notice under Order 25, rule 7(3).	10.00	The summons, notice or sealed copy thereof.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
Appeals to High Court—		
11. On filing—		
(a) a notice of appeal to the High Court, or	15.00	The notice.
(b) a case stated or a special case for the opinion of the High Court pursuant to statute and setting the appeal or case down for hearing, or	15.00	The case.
(c) a notice of cross-appeal to the High Court, or	10.00	The notice.
(d) a respondent's notice of appeal to the High Court.	10.00	The notice.
C. <i>Enforcement of Judgments</i>		
Writs of Execution—		
12. On sealing a writ of execution.	5.00	The praecipe.
Applications in aid of enforcement—		
13. On an application for a garnishee order <i>nisi</i> , a charging order <i>nisi</i> or the appointment of a receiver by way of equitable execution.	5.00	The affidavit or summons.
14. On an <i>ex parte</i> application to examine a judgment debtor before an officer of the Court.	5.00	The affidavit.
15. On an application for an attachment of earnings order to secure maintenance payments.	2.00	The affidavit in support of the application.
Registration of Foreign or Commonwealth Judgments—		
16. (a) Under part II of the Administration of Justice Act 1920 or the Foreign Judgments (Reciprocal Enforcement) Act 1933—		
(i) on an <i>ex parte</i> application to register an incoming judgment or order,	10.00	The affidavit in support of the application.
(ii) on providing a certified copy of a judgment or order for use abroad.	10.00	The copy.
(b) Under the Maintenance Orders Act 1950 or the Maintenance Orders Act 1958—		
(i) on an <i>ex parte</i> application to register an outgoing order,	2.00	The affidavit or statement in support of the application.
(ii) on processing an incoming registration.	2.00	The affidavit or the order.

Column 1	Column 2	Column 3
Item	Fee £	Document to be marked
(c) Under the Maintenance Orders (Facilities for Enforcement) Act 1920—		
(i) on an <i>ex parte</i> application to register an outgoing order,	10.00	The affidavit or statement in support of the application.
(ii) on processing an incoming registration.	10.00	The affidavit or the order.
(d) Under the Maintenance Orders (Facilities for Enforcement) Act 1972—		
on an <i>ex parte</i> application to register an outgoing order.	10.00	The affidavit or statement in support of the application.
Enforcement of Arbitration Award—		
17. On an application for leave to enforce an arbitration award.	10.00	The affidavit.
D. <i>Miscellaneous Proceedings or Matters</i> Copy documents—		
18. For a photographic copy of or part of any document whether or not issued as an office copy, for each photographic sheet.	0.25	The copy or fee sheet.
19. For a typewritten copy document, per page, whether or not issued as an office copy and for each page of any additional carbon copy bespoken, half of this fee.	0.50	The fee sheet.
20. For examining a plain copy and marking the same as an office copy—for each sheet.	0.25	The office copy.
Bills of Sale—		
21. On filing—		
(a) any document under the Bills of Sale Acts, 1878 and 1882, other than a fiat of satisfaction,	5.00	The document filed.
(b) a fiat of satisfaction.	5.00	The fiat.
22. (a) For an official certificate of the result of a search in one name in any register or index under the custody of the Registrar of Bills of Sale, for every additional name if included in the same certificate,	2.00	
(b) for a continuation search, if made within one calendar month of date of official certificate (the result to be endorsed on each certificate).	1.00	
	1.00	The requisition for search.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
Taking Affidavits—		
23. (a) 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, for each person making the same,	2.00	
(b) In addition thereto for each exhibit therein referred to and required to be marked.	0.50	The affidavit, affirmation or declaration.
Searches—		
24. On a search of court documents (except a search for appearance or search under the Bills of Sale Act (1878) Amendment Act (1882)) including inspection for each hour or part thereof occupied.	1.00	The request.
Judge sitting as Arbitrator—		
25. (a) On the appointment of a judge of the Commercial Court as an arbitrator or umpire under Section 4 of the Administration of Justice Act, 1970 and	500.00	
(b) for every day or part thereof (after the first day) of the hearing of the reference before a judge so appointed as arbitrator or umpire.	500.00	The arbitration agreement or other document produced to the judge as constituting the submission or arbitration.

SECTION 2
FEES PAYABLE IN ADMIRALTY MATTERS

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
In the Admiralty Registrar and Marshal's Office—		
26. (a) On lodging with the Marshal— an instrument— under Order 75, rule 5(1),	20.00	The instrument.
(b) On the sale of a ship or goods—		
(i) for every £100 or fraction of £100 of the price up to £100,000,	1.00	
(ii) for every £100 or fraction of £100 of the price exceeding £100,000,	0.50	
(c) On entering a reference for hearing by the Registrar.	15.00	The praecipe.

SECTION 3
FEES PAYABLE IN THE COURT OF APPEAL

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
27. (a) On filing a notice of appeal,	15.00	The notice of appeal.
(b) On filing a notice of cross-appeal or a respondent's notice under Order 59, rule 6(1).	10.00	The notice.

SECTION 4
FEES PAYABLE IN THE FUNDS OFFICE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
28. On a search of the records of funds carried over to unclaimed balances—		
(a) for a period not exceeding 50 years immediately preceding the date of search,	5.00	The request.
(b) for each further period of 10 years or part thereof.	5.00	The request.

SECTION 5

FEES PAYABLE ON THE TAXATION OF COSTS

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
29. (a) On taking a cash account between solicitor and own client under the Solicitors Act 1974, or otherwise— for every £1 or fraction of £1 of the amounts found to have been received and paid,	0.05	The fee sheet.
(b) On the taxation of a bill of costs— for every £1 or fraction of £1 of the amount allowed: Provided that the taxing officer may in any case require the bill of costs to be stamped before taxation with the whole or part of the amount of fees which would be payable if the bill were allowed by him at the full amount thereof (including, in cases under the Solicitors Act 1974, the fee payable in respect of the cash account),	0.05	The Bill.
(c) On the withdrawal of a bill of costs which has been lodged for taxation, such fee (not exceeding the amount which would have been payable under Fee No. 29(b) if the bill had been allowed in full) as may be reasonable having regard to the amount of work done in the court office,		The bill.
(d) On assessing costs in the Chancery Division for every £1 or fraction of £1 of the sum assessed.	0.05	The bill.

SECTION 6

FEES PAYABLE ON PROCEEDINGS UNDER
THE COMPANIES ACT 1948

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Item	Fee £	Document to be marked
30. (a) On presenting a petition for the winding up of a company by or under the supervision of the court, or for an order under section 210,	15.00	The petition.
(b) On presenting any other petition.	30.00	The petition.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes the Supreme Court Fees Order 1975 and replaces the Schedule to that Order, comprising ten Sections and 61 numbered fees, with a new Schedule, comprising six Sections and 30 numbered fees. The sums payable in respect of the new fees are, in many cases, higher than those which they replace.

The table of correspondence below shows, in Part I, the relationship, if any, between the new fees and the old and, in Part II, the old fees that have not been included in the present Order.

PART I

TABLE OF CORRESPONDENCE

New Fee	Old Fee
1	1(i)
2(a)	1(ii)
2(b) (c) (d)	None
3	12
4	2
5	7, 9
6	6
7	5(ii)
8	25
9	27, 31
10	14
11(a) and (b)	8
11(c) and (d)	None
12	11
13	None
14	5(i)
15	None
16	55
17	2
18	38
19	39
20	40
21	56
22	57
23	59
24	None
25	60, 61
26	33, 34, 30
27	35, 36
28	42
29	48, 49, 50, 23
30	53, 51, 52

PART II

Fees contained in the 1975 Order which are not included in this Order:

3, 4, 10, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23(a), 24, 26, 28, 29, 32, 33(a)(ii), 33(b), 37, 41, 54 and 58.