

1986 No. 637

SUPREME COURT OF
ENGLAND AND WALES

FEES

The Supreme Court Fees (Amendment) Order 1986

<i>Made</i> - - - - -	<i>25th March 1986</i>
<i>Laid before Parliament</i>	<i>7th April 1986</i>
<i>Coming into Force</i>	<i>28th April 1986</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 130 of the Supreme Court Act 1981(a) and with the concurrence of the Lord Chief Justice, the Master of the Rolls, the President of the Family Division, the Vice-Chancellor and the Treasury, hereby makes the following Order:—

1.—(1) This Order may be cited as the Supreme Court Fees (Amendment) Order 1986 and shall come into force on 28th April 1986.

(2) The Supreme Court Fees Order 1980(b) shall be amended in accordance with the following provisions of this Order and in those provisions a fee referred to by number means the fee so numbered in the Schedule to the said Order of 1980.

2. In Fee No. 1 for the figure “55.00” in column 2 there shall be substituted the figure “60.00”.

3. Beneath the words “B. Progress of Proceedings”, there shall be inserted the words “Interlocutory Applications—”.

(a) 1981 c. 54.

(b) S.I. 1980/821, as amended by S.I. 1980/1060, 1982/1707 and 1983/1680.

4. Above the words "Entering and setting down for trial or in court" there shall be inserted the following fees:—

	Column 1	Column 2	Column 3
5A	On taking an appointment before a Master, District Registrar or Admiralty Registrar	£10.00	The summons or notice
5B	On lodging a summons for hearing before a Judge in Chambers in the Queen's Bench Division or an Official Referee	£15.00	The summons
5C	On an ex parte application to a Judge in Chambers in the Queen's Bench Division, or an Official Referee	£15.00	The affidavit in support of the application
5D	On lodging a motion (other than a motion for judgment) for hearing before a Judge in the Chancery Division or the Admiralty Court	£15.00	The notice of motion
5E	On an application in proceedings subsequent to the making of a wardship order or to the determination of an originating summons in guardianship or custodianship proceedings made— (a) to a Registrar or District Registrar (b) to a Judge Provided that the amount specified in Fee No. 5A, 5B, 5D and 5E shall not be payable where the application is for an order by consent.	£10.00 £15.00	The summons

5. Beneath the words "Entering and setting down for trial or in Court—" there shall be inserted the following fees:—

	Column 1	Column 2	Column 3
5F	On entering or setting down any cause or matter for trial, hearing or further consideration except where it is otherwise provided in this Schedule or Fee No. 1(c), 5E or 30(a) or (b) has been paid	£30.00	The praecipe or the filed copy of the pleadings
5G	On setting down a commercial action in the commercial list for trial	£100.00	The praecipe or the filed copy of the pleadings
5H	On entering or setting down any cause or matter for trial or hearing in the Admiralty Court except where the claim is in respect of loss of life, personal injuries or unpaid wages	£100.00	The praecipe or the filed copy of the pleadings
5J	On fixing a date for the trial of a cause or matter before an Official Referee	£30.00	The praecipe or the filed copy of the pleadings
5K	On filing an order for the hearing of a cause or matter begun by Originating Summons	£30.00	The order

6. In Fee No. 8(a) for the figure “5.00” in column 2 there shall be substituted the figure “15.00”.

7. In Fee No. 9 for the figure “5.00” in column 2 there shall be substituted the figure “15.00”.

8. In Fee No. 13 for the figure “10.00” in column 2 there shall be substituted the figure “15.00”.

9. In Fee No. 14 for the figure “6.00” in column 2 there shall be substituted the figure “15.00”.

10. In Fee No. 23 for the figures “2.00” and “0.50” in column 2 there shall be substituted respectively the figures “3.00” and 0.75”.

11. In Fee No. 26(a) for the figure “20.00” in column 2 there shall be substituted the figure “30.00”.

12. For Section 3 in the Schedule there shall be substituted the following section:—

SECTION 3

FEE PAYABLE IN THE COURT OF APPEAL

Column 1	Column 2	Column 3
Item	Fee £	Document to be marked
27(a) On filing a notice of appeal—		
(i) from a County Court	25.00	The notice of appeal
(ii) in any other case;	30.00	
(b) On filing a notice of cross-appeal or a respondent’s notice under Order 59, rule 6(i);	15.00	The notice
(c) On any application: provided that where the application is for leave to appeal and leave is granted, credit for this fee is to be given against the fee payable in (a).	15.00	The summons or form of application.

13. After Fee No. 29(d) there shall be inserted the following fees:—

Column 1	Column 2	Column 3
(e) On an application to a taxing officer to review his decision	10.00	The written objection
(f) On an application to a judge to review a taxing officer’s decision	15.00	The summons

14. In section 6 in the Schedule for the words "Companies Acts 1948 and 1980" in the heading there shall be substituted the words "Companies Act 1985" and in Fee No. 30(a) for the words "section 75 of the Companies Act 1980" there shall be substituted the words "section 459 or 456 of the Companies Act 1985".

Dated 21st March 1986

Hailsham of St. Marylebone, C.

Dated 25th March 1986

Lane, C.J.

J. Donaldson, M.R.

John Arnold, P.

Brown-Wilkinson, V.C.

Dated 25th March 1986

Donald Thompson,

Michael Neubert,

Two of the Lords Commissioners
of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Supreme Court Fees Order 1980, as amended, so as to—

- (a) increase Fees No. 1 (sealing writs etc), 8(a) (inquiries by masters), 9 (appeals from masters), 13 (applications for enforcement), 14 (examination of judgment debtors), 23 (affidavits and exhibits), 26(a) (Admiralty) and 27(a) and (b) (appeals to the Court of Appeal);
- (b) introduce new fees payable on interlocutory applications in the High Court (Fees 5A to 5E) and in the Court of Appeal (Fee 27(c));
- (c) increase the fee payable on setting down ordinary writ actions (Fees 5F and 5J), with a greater increase for commercial and Admiralty actions (Fees 5G and 5H) and a new fee on filing an order for the hearing of an originating summons (Fee 5K),
- (d) introduce new fees payable on applications to review taxing officers' decisions (Fee 29(e) and (f)).

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