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STATUTORY INSTRUMENTS

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**2002 No. 222 (L. 2)**

**SUPREME COURT OF ENGLAND AND WALES**

**The Supreme Court Fees (Amendment) Order 2002**

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|---|---------|--------------------------|
| <i>Made</i>                                 | - - - - | <i>6th February 2002</i> |
| <i>Laid before Parliament</i>               |         | <i>7th February 2002</i> |
| <i>Coming into force</i>                    |         |                          |
| <i>for the purposes of articles 3 and 4</i> |         | <i>25th March 2002</i>   |
| <i>for all other purposes</i>               |         | <i>1st March 2002</i>    |

The Lord Chancellor, in exercise of the powers conferred on him by section 130 of the Supreme Court Act 1981(1), 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 under section 130(2) of the Supreme Court Act 1981, makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Supreme Court Fees (Amendment) Order 2002 and shall come into force for the purposes of articles 3 and 4 on 25th March 2002 and for all other purposes on 1st March 2002.

**Interpretation**

2. In this Order—

- (a) “the 1999 Fees Order” means the Supreme Court Fees Order 1999(2);
- (b) a fee or column referred to by number means the fee or column so numbered in Schedule 1 to the 1999 Fees Order.

**Amendments to the 1999 Fees Order**

3. In column 1 in fee 3.2, for the words “to question a judgment debtor or other person on oath in connection with enforcement of a judgment” there shall be substituted the words “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”.

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(1) 1981 c. 54.

(2) S.I. 1999/687; amended by S.I. 1999/2569; S.I. 2000/641; 937; 1544 and 2382.

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**Status:** This is the original version (as it was originally made).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

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4. In column 1 in fee 3.3, for the words “garnishee order nisi or a charging order nisi” there shall be substituted the words “third party debt order or a charging order”.

5. In column 1 in fee 3.5, after the words “arbitration award, or for a” there shall be inserted the words “certificate or a”.

Dated 30th January 2002

*Irvine of Lairg, C.*

We concur,

Dated 31st January 2002

*Harry Woolf, C.J.,  
Nicholas Phillips, M.R.,  
Elizabeth Butler-Sloss, P.,  
Andrew Morritt, V-C.*

We concur,

Dated 6th February 2002

*Tony McNulty  
John Heppell*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Supreme Court Fees Order 1999.

The following amendments are made to take account of the new rules on enforcement introduced by the Civil Procedure (Amendment No. 4) Rules 2001 (S.I.2001/2792):

- the description of fee 3.2 (fee payable on oral examination) is revised so that it now refers to an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement (*article 3*);
- the description of fee 3.3 (fee payable on application for garnishee order or charging order) is revised so that it now refers to an application for a third party debt order and a charging order (*article 4*).

In addition, fee 3.5 (fee payable in relation to enforcement of foreign judgments, arbitration awards and enforcement of judgments abroad) is extended to include a fee payable for a certificate for use abroad. (Such certificates are issued under Article 54 and Annex V of the Council Regulation (EC) No 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. The effect of Article 54 is that a person wanting to enforce a judgment in all Member States except Denmark will need to apply for a certificate rather than a certified copy of the judgment.) (*article 5*)

There is no change in the amount of any of the fees.