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STATUTORY INSTRUMENTS

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**2005 No. 3445 (L. 31)**

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

**The Civil Proceedings Fees (Amendment) Order 2005**

*Made* - - - - 20th December 2005  
*Laid before Parliament* 20th December 2005  
*Coming into force* - - 10th January 2006

The Lord Chancellor, in exercise of the powers conferred upon him by sections 92 and 108(6) of the Courts Act 2003<sup>(1)</sup> and sections 414 and 415 of the Insolvency Act 1986<sup>(2)</sup>, makes the following Order.

The Lord Chancellor has obtained the consent of the Treasury in accordance with section 92(1) of the Courts Act 2003, and the sanction of the Treasury in accordance with sections 414(1) and 415(1) of the Insolvency Act 1986, to the making of this Order.

The Lord Chancellor has consulted the Lord Chief Justice, the Master of the Rolls, the President of the Queen’s Bench Division, the President of the Family Division, the Chancellor of the High Court, the Head of Civil Justice and the Deputy Head of Civil Justice in accordance with section 92(5) of the Courts Act 2003, and the Civil Justice Council in accordance with section 92(6) of that Act.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Civil Proceedings Fees (Amendment) Order 2005 and shall come into force on 10th January 2006.

(2) In this Order “the Order” means the Civil Proceedings Fees Order 2004<sup>(3)</sup>.

**Amendments to the Civil Proceedings Fees Order 2004**

2. In article 4(2)(b)(i) of the Order, for the words from “married couple” to “includes the party” substitute “couple (as defined in section 3(5A) of the Tax Credits Act 2002<sup>(4)</sup>) which includes the party”.

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(1) 2003 c. 39; amended by Constitutional Reform Act 2005, Schedule 4 paragraph 345.

(2) 1986 c. 45.

(3) S.I.2004/3121; amended by S.I. 2005/473.

(4) 2002 c. 21. Section 3(5A) is substituted for section 3(5) and (6) by the Civil Partnership Act 2004, Schedule 24 paragraph 144(3).

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3. For Schedule 1 to the Order substitute the Schedule to this Order.

Signed

Date 16th December 2005

*Falconer of Thoroton, C*

We consent

Date 20th December 2005

*Vernon Coaker*  
*David Watts*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## SCHEDULE

Article 3

## New Schedule 1 to be inserted into Civil Proceedings Fees Order 2004

<i>Column 1</i> <i>Number and description of fee</i>	<i>Column 2</i> <i>Amount of fee</i>
<b>1 Commencement of proceedings (High Court and county court)</b>	
<b>1.1 On the commencement of originating proceedings in the High Court</b>	
(including originating proceedings issued after permission 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
<b>1.2 On the commencement of originating proceedings in the county court</b>	
(including originating proceedings issued after permission to issue is granted) to recover a sum of money, except in CPC cases brought by Centre users:	
(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

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

Fees 1.1, 1.2 and 1.3

Where the claimant is making a claim for interest on a specified sum of money, the sum claimed for the purposes of calculating fees 1.1, 1.2 and 1.3 shall be taken to include the interest in addition to that specified sum.

**1.4 On the commencement of originating proceedings** for any other remedy or relief (including originating proceedings issued after permission 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

<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
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.	
<b>1.5 On the filing of proceedings against a party or parties not named in the originating proceedings:</b>	
—in the High Court	£50
—in the county court	£35
Fee 1.5	

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<i>Column 1</i> <i>Number and description of fee</i>	<i>Column 2</i> <i>Amount of fee</i>
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.	
<b>1.6 On the filing of a counterclaim</b>	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.	
<b>1.7 (a) On an application for permission to issue originating proceedings:</b>	
—in the High Court	£50
—in the county court	£35
<b>(b) On an application for an order under Part III of the Solicitors Act 1974(5) for the assessment of costs payable to a solicitor by his client or on the commencement of costs-only proceedings</b>	
—in the High Court	£50
—in the county court	£35
<b>1.8(a) On the commencement of the judicial review procedure (High Court only)</b>	£50
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:	
<b>1.8(b) if the judicial review procedure has been commenced</b>	£180
<b>1.8(c) if the claim for judicial review was commenced otherwise than by using the judicial review procedure</b>	£50
<b>2 General Fees (High Court and county court)</b>	
<b>2.1 On the claimant filing an allocation questionnaire; or</b>	

(5) 1974 c. 47.

<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
<ul style="list-style-type: none"> <li>— 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</li> <li>— 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:</li> </ul>	
—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—

- on the defendant 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 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 the 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

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<i>Column 1</i> <i>Number and description of fee</i>	<i>Column 2</i> <i>Amount of fee</i>
—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 in the High Court and the county 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 in the county court

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.



<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
Fee 2.2 shall not be payable in respect of a small claims hearing.	
<b>2.3 In the High Court on filing:</b>	£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	
<b>2.4 In the county court on filing—</b>	
— 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	£100
(b) in all other claims	£120
Fees 2.3 and 2.4	
Fees 2.3 and 2.4 do not apply on appeals against a decision made in detailed assessment proceedings.	
<b>2.5 On an application on notice where no other fee is specified</b>	
—in the High Court	£100
—in the county court	£65
<b>2.6 On an application by consent or without notice for a judgment or order</b> where no other fee is specified	
—in the High Court	£50
—in the county court	£35
For the purpose of fee 2.6 a request for a judgment or order on admission or in default shall not constitute an application and no fee shall be payable.	
Fee 2.6 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 2.5 and 2.6	

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<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
Fees 2.5 and 2.6 shall not be payable when an application is made in an appeal notice or is filed at the same time as an appeal notice.	
<b>2.7 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</b> , other than an application for which fee 6.2 or 7.3 is payable	
—in the High Court	£50
—in the county court	£35
<b>2.8 On an application to vary a judgment or suspend enforcement</b> (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	£35
<b>3 Companies Act 1985(6)and Insolvency Act 1986(7)(High Court and county court)</b>	
<b>3.1 On entering a bankruptcy petition:</b>	
(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
<b>3.2 On entering a petition for an administration order</b>	£150
<b>3.3 On entering any other petition</b>	£190
One fee only is payable where more than one petition is presented in relation to a partnership.	
<b>3.4(a) On a request for a certificate of discharge from bankruptcy</b>	£60
<b>(b) and after the first certificate for each copy</b>	£1
<b>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.</b>	£130
Fee 3.5	
Fee 3.5 is not payable where the application is made in existing proceedings.	

(6) 1985 c. 6.

(7) 1986 c. 45.

<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
<b>3.6 On an application for the conversion of a voluntary arrangement</b> into a winding up or bankruptcy under Article 37 of Council Regulation (EC) No 1346/2000.	£130
<b>3.7 On an application, for the purposes of Council Regulation (EC) No 1346/2000</b> , 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
<b>3.8 On filing</b>	£30
— 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	
— 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.	
<b>3.9 On submitting a nominee's report under section 2(2) of the Insolvency Act 1986</b>	£30
<b>3.10 On filing documents in accordance with paragraph 7(1) of Schedule A1 to the Insolvency Act 1986</b>	£30
<b>3.11 On an application by consent or without notice</b> within existing proceedings where no other fee is specified	£30
<b>3.12 On an application with notice</b> 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.	

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<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
<b>4 Copy Documents</b> (Court of Appeal, High Court and county court)	
<b>4.1 On a request for a copy of any document</b> (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.	
<b>4.2 On a request for a copy of a document required in connection with proceedings</b> and supplied by the party making the request at the time of copying, for each page.	20p
<b>4.3 On a request for a copy of a document on a computer disk or in other electronic form,</b> for each such copy.	£3
<b>5 Determination of costs</b> (Supreme Court and county court)	
<b>5.1 On the filing of a request for detailed assessment</b> 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	
—in the Supreme Court	£120
—in the county court	£105
<b>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</b>	
—in the Supreme Court	£600
—in the county court	£300
Where there is a combined party and party and legal aid, or a combined party and party and	

<i>Column 1</i> <i>Number and description of fee</i>	<i>Column 2</i> <i>Amount of fee</i>
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.	
<b>5.3 On a request for the issue of a default costs certificate</b>	
— in the Supreme Court	£50
— in the county court	£45
<b>5.4 On an appeal against a decision made in detailed assessment proceedings</b>	
— in the Supreme Court	£200
— in the county court	£105
<b>5.5 On applying for the court's approval of a certificate of costs payable from the Community Legal Service Fund.</b>	
— in the Supreme Court	£50
— in the county court	£35
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.	
<b>5.6 On a request or application to set aside a default costs certificate</b>	
— in the Supreme Court	£100
— in the county court	£65
<b>6 Enforcement in the High Court</b>	
<b>6.1 On sealing a writ of execution/possession/delivery</b>	£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.	
<b>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.</b>	£50
<b>6.3(a) On an application for a third party debt order or the appointment of a receiver by way of equitable execution</b>	£100

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<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
<b>(b) On an application for a charging order</b>	£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.	
<b>6.4 On an application for a judgment summons</b>	£100
<b>6.5 On a request or application to register a judgment or order, or for permission to enforce an arbitration award, or for a certificate or a certified copy of a judgment or order for use abroad</b>	£50
<b>7 Enforcement in the county court</b>	
<b>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:</b>	
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:	
(a) Where the amount for which the warrant issues does not exceed £125	£35
(b) Where the amount for which the warrant issues exceeds £125	£55
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:	
(c) Where the amount for which the warrant issues does not exceed £125	£25
(d) Where the amount for which the warrant issues exceeds £125	£45
<b>7.2 On a request for a further attempt at execution of a warrant</b> 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)	£25
<b>7.3 On an application for an order requiring a judgment debtor</b> or other person to attend court to provide information in connection with enforcement of a judgment or order	£45

<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
<b>7.4(a) On an application for a third party debt order</b> or the appointment of a receiver by way of equitable execution	£55
<b>(b) On an application for a charging order</b>	£55
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.	
<b>7.5 On an application for a judgment summons</b>	£95
<b>7.6 On the issue of a warrant of possession or a warrant of delivery</b>	£95
Where the recovery of a sum of money is sought in addition, no further fee is payable.	
<b>7.7 On an application for an attachment of earnings order</b> (other than a consolidated attachment of earnings order) to secure payment of a judgment debt	£65
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.	
<b>7.8 On a consolidated attachment of earnings order or on an administration order</b>	For every £1 or part of a £1 of the money paid into court in respect of debts due to creditors – 10p
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).	
<b>7.9 On the application for the recovery of a tribunal award</b>	£35
<b>7.10 On a request for an order to recover a sum that is:</b>	£5

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<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
<ul style="list-style-type: none"> <li>— a specified debt within the meaning of the Enforcement of Road Traffic Debts Order 1993(8) as amended from time to time; or</li> <li>— pursuant to an enactment, treated as a specified debt for the purposes of that Order</li> </ul> <p>No fee is payable on:</p> <ul style="list-style-type: none"> <li>— an application for an extension of time to serve a statutory declaration in connection with any such order; or</li> <li>— a request to issue a warrant of execution to enforce any such order</li> </ul>	
<b>8 Sale (county court only)</b>	
<b>8.1 For removing or taking steps to remove goods to a place of deposit</b>	The reasonable expenses incurred
Fee 8.1 is to include the reasonable expenses of feeding and caring for any animals.	
<b>8.2 For advertising a sale by public auction</b> pursuant to section 97 of the County Courts Act 1984(9)	The reasonable expenses incurred
<b>8.3 For the appraisalment of goods</b>	5p in the £1 or part of a £1 of the appraised value
<b>8.4 For the sale of goods</b> (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
<b>8.5 Where no sale takes place by reason of an execution being withdrawn, satisfied or stopped</b>	(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
<b>FEES PAYABLE IN HIGH COURT ONLY</b>	
<b>9 Miscellaneous proceedings or matters</b> (High Court only)	
<b>Bills of Sale</b>	
<b>9.1 On filing any document under the Bills of Sale Acts 1878(10) and the Bills of Sale Act (1878) Amendment Act 1882(11) or</b>	£10

(8) S.I.1993/2073.

(9) 1984 c. 28.

(10) 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.

(11) 1882 c. 43.



<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
<b>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</b>	
<b>Searches</b>	
<b>9.2 For an official certificate</b> 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	£5
<b>9.3 On a search in person of the bankruptcy and companies records</b> , including inspection, for each 15 minutes or part of 15 minutes	£5
<b>Judge sitting as arbitrator</b>	
<b>9.4 On the appointment of—</b>	
(a) a judge of the Commercial Court as an arbitrator or umpire under section 93 of the Arbitration Act 1996 <sup>(12)</sup> ; or	£1,800
(b) a judge of the Technology and Construction Court as an arbitrator or umpire under section 93 of the Arbitration Act 1996	£1,400
<b>9.5 For every day or part of a day</b> (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.	
<b>10 Fees payable in Admiralty matters</b> (High Court only)	
<b>In the Admiralty Registrar and Marshal's Office—</b>	
<b>10.1 On the issue of a warrant for the arrest of a ship or goods</b>	£100
<b>10.2 On the sale of a ship or goods—</b>	

<sup>(12)</sup> 1996 c. 23.

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<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
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.	
<b>10.3 On entering a reference for hearing by the Registrar</b>	£50
<b>FEES PAYABLE IN HIGH COURT AND COURT OF APPEAL ONLY</b>	
<b>11 Affidavits</b>	
<b>11.1 On taking an affidavit or an affirmation or attestation</b> 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
<b>11.2 For each exhibit</b> referred to in an affidavit, affirmation, attestation or declaration for which fee 11.1 is payable	£2
<b>FEES PAYABLE IN COURT OF APPEAL ONLY</b>	
<b>12 Fees payable in appeals to the Court of Appeal</b>	
<b>12.1(a) Where in an appeal notice</b> permission to appeal or an extension of time for appealing is applied for (or both are applied for)—	£200
— on filing an appellant’s notice, or	
— where the respondent is appealing, on filing a respondent’s notice	
<b>12.1(b) Where permission to appeal</b> is not required or has been granted by the lower court—	£400
— on filing an appellant’s notice, or	
— on filing a respondent’s notice where the respondent is appealing	
<b>12.1(c) On the appellant filing an appeal questionnaire</b> (unless the appellant has paid fee 12.1(b), or on the respondent filing an	£400

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<i>Column 1</i>	<i>Column 2</i>
<i>Number and description of fee</i>	<i>Amount of fee</i>
appeal questionnaire (unless the respondent has paid fee 12.1(b))	
<b>12.2 On filing a respondent’s notice</b> 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	£200
<b>12.3 On filing an application notice</b>	£200
Fee 12.3	
Fee 12.3 shall not be payable for an application made in an appeal notice.	
<b>FEES PAYABLE IN COUNTY COURT ONLY</b>	
<b>13 Registry of County Court Judgments</b>	
<b>13.1 On a request for the issue of a certificate of satisfaction</b>	£15

**EXPLANATORY NOTE**

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

This Order substitutes a new schedule of fees payable in civil proceedings in the Civil Proceedings Fees Order 2004 (S.I.2004/3121).

Changes in fees are as follows:

<i>Fee no</i>	<i>Item</i>	<i>New fee (£)</i>	<i>Old fee (£)</i>
1.5	Filing of proceedings in county court against party not named in originating proceedings	35	30
1.7(a)	Application for permission to issue originating proceedings in county court	35	30
1.7(b)	Application for order under Part III of the	35	30

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<i>Fee no</i>	<i>Item</i>	<i>New fee (£)</i>	<i>Old fee (£)</i>
	Solicitors Act 1974 in county court		
2.4(a)	Filing appellant's notice in county court (or respondent's notice where respondent is appealing etc) – small claims track	100	80
2.4(b)	Filing appellant's notice in county court (or respondent's notice where respondent is appealing etc) – other than small claims track	120	100
2.5	Application on notice where no fee specified — county court	65	60
2.6	Application by consent or without notice for judgment or order where no other fee specified — county court	35	30
2.7	Application for summons or order for witness to attend court etc— county court	35	30
2.8	Application to vary judgment or suspend enforcement — county court	35	30
5.1	Filing of request for detailed assessment in legal aid cases— county court	105	100
5.3	Request for issue of default costs certificate — county court	45	40
5.4	Appeal against decision in detailed assessment proceedings — county court	105	100
5.5	Application for approval of certificate	35	30

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<i>Fee no</i>	<i>Item</i>	<i>New fee (£)</i>	<i>Old fee (£)</i>
	of costs payable from Community Legal Service Fund — county court		
5.6	Request or application to set aside default costs certificate — county court	65	60
7.1(a)	Application for enforcement in county court — amount of warrant not exceeding £125	35	30
7.1(b)	Application for enforcement in county court — amount of warrant exceeding £125	55	50
7.2	Request for further attempt at execution of warrant — county court	25	20
7.3	Application for order requiring judgment debtor to attend court etc — county court	45	40
7.4(a)	Application for third party debt order — county court	55	50
7.4(b)	Application for charging order — county court	55	50
7.5	Application for judgment summons — county court	95	90
7.6	Issue of warrant of possession or delivery — county court	95	90
7.7	Application for attachment of earnings order — county court	65	60
7.9	Application for recovery of tribunal award — county court	35	30

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<i>Fee no</i>	<i>Item</i>	<i>New fee (£)</i>	<i>Old fee (£)</i>
13.1	Request for certificate of satisfaction — county court	15	10

This Order provides that for the purposes of calculating a fee (fee 1.1, 1.2 or 1.3) for commencing proceedings in the High Court or county court to recover a specified sum of money, the amount claimed is to include any interest claimed.

An amendment is also made to the exemption provisions in the 2004 Order, consequential on the amendment of the Tax Credits Act 2002 by the Civil Partnership Act 2004.