
STATUTORY INSTRUMENTS

2003 No. 1879

JUDICIAL COMMITTEE

The Judicial Committee (General Appellate Jurisdiction) Rules (Amendment) Order 2003

Made - - - - *17th July 2003*

Coming into force - - *1st September 2003*

At the Court of Buckingham Palace, the 17th day of July 2003

Present,

The Queen's most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 24 of the Judicial Committee Act 1833(1) and section 1 of the Judicial Committee Act 1844(2) or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation and commencement

1. This Order may be cited as the Judicial Committee (General Appellate Jurisdiction) Rules (Amendment) Order 2003 and shall come into force on 1st September 2003.

Amendment of the Judicial Committee (General Appellate Jurisdiction) Rules

2. The Judicial Committee (General Appellate Jurisdiction) Rules(3) shall be amended as follows—

- (a) in rule 4(a) delete “six” and substitute “seven”;
- (b) in rule 8(a) delete “£500” and substitute “£2,000”;
- (c) in rule 44 delete “£500” and substitute “£2,000”;
- (d) in rule 47 delete paragraph (3) and substitute—
 - (a) “(3) where the petition is a petition of appeal or a consent petition, the original and one copy shall be lodged;
 - (b) for all other petitions, the original and seven copies shall be lodged”;

(1) 1833 c. 41.

(2) 1844 c. 69.

(3) S.I.1982/1676, Schedule II; amended by S.I. 1990/2297 and S.I. 1996/3170.

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- (e) in rule 77—
 - (i) at the end of paragraph (1) add “and send copies to the other party”;
 - (ii) in paragraph (2), delete “4 clear days” and insert “14 days”, and at the end delete “and of the order and notice”;
- (f) the Table of Fees set out in Schedule B shall be deleted and the table set out in the Schedule to this Order substituted therefor.

Revocation

3. The Judicial Committee (Fees) Order 1996(4) is revoked.

A. K. Galloway
Clerk of the Privy Council

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SCHEDULE

COUNCIL OFFICE FEES

		£
1.	Entering appearance	30.00
2.	Examining proof of Record with the certified Record at the Registry (chargeable to Appellant only)—per day	40.00
	per half-day	25.00
3.	Lodging Petition of Appeal	50.00
4.	Lodging Petition for special leave to appeal	120.00
5.	Lodging any other Petition or Motion	75.00
6.	Lodging Case	300.00
7.	Original Order of Her Majesty in Council determining an Appeal	30.00
8.	Any other original Order of Her Majesty in Council	30.00
9.	Plain copy of an Order of Her Majesty in Council	10.00
10.	Original Order of Judicial Committee determining an Appeal	30.00
11.	Any other original Order of Judicial Committee	30.00
12.	Plain copy of Committee Order	10.00
13.	Lodging affidavit	25.00
14.	Certificate delivered to parties	25.00
15.	Lodging caveat	25.00
16.	Taxing fee (including certificate)	5% of the sum allowed.

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order introduces a revised scale of fees in respect of appeals and other proceedings (except devolution proceedings) before the Judicial Committee of the Privy Council. The value of money has fallen by about 12% since the last change in 1996 but the majority of fees are increased by larger percentages than that, ranging from 38% to 66%. However, one fee is abolished and no change is made to the fees for originals and copies of Orders (except fee no. 8 which is brought into line with fee no. 11) or to the taxing fee.

The other main change is that the limit on assets for qualification as a poor person (to obtain exemption from payment of fees) is raised from £500 to £2,000.

The Order also makes minor changes to the numbers of copies of petitions that have to be filed for various purposes and increases the length of notice a party liable to pay costs will get of the taxation appointment and of the bill presented by the other side.