

Status: Point in time view as at 06/04/2003.

Changes to legislation: Magistrates' Courts Act 1980, SCHEDULE 6 is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 137.

FEES

[^{F1}PART I

FEES TO BE TAKEN BY [^{F2}JUSTICES' CHIEF EXECUTIVES]

Textual Amendments

- F1** Sch. 6 Pt. I: varied so as to have effect (1.8.1993) as set out in the Sch. to S.I. 1993/1889 by S.I. 1993/1889, art. 2, Sch.
- F2** Words in Sch. 6 Pt. I Heading substituted (1.4.2001) by 1999 c. 22, s. 90, Sch. 13 paras. 95, 117 (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, art. 2(a)(ii) (with Sch. 2 para. 2)

Modifications etc. (not altering text)

- C1** Sch. 6 Pt. I continues to have effect (30.12.2005) by 2002 c. 38, ss. 139, 148, Sch. 4 para. 7(1)(b) (with Sch. 4 paras. 6-8); S.I. 2005/2897, art. 2

| | £ |
|---|--------|
| ATTENDANCE | 44.00 |
| On a justice, to view deserted premises in order to affix notice or to give possession thereof, or to view a highway, bridge or nuisance | |
| CASE FOR THE OPINION OF HIGH COURT (s. 111 of this Act) | 382.00 |
| Drawing case, copies, taking recognizance as required by s. 114 of this Act and enlargements and renewals thereof (composite fee), where the application to state a case is made on or after 1st April 1992 | |
| Certificate of refusal of case, where the application is so made | 8.00 |
| CERTIFICATE | 8.00 |
| Every certificate not otherwise charged | |
| CHILD SUPPORT ACT 1991 | 0.70 |
| ^{M1} Application for a liability order (each child) | |

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NOTE: This fee is payable on the making of 30.00
the application.

Paternity application (each child) (sections
20 and 27 of the Act ^{F8})

Appeal against a deduction from earnings 10.00
order

Complaint or application and summons 10.00

Warrant of arrest 10.00

Commitment order 40.00

NOTE: The fee for a commitment order is payable on the making of the order.

**COMMUNITY CHARGE/COUNCIL 0.70
TAX/RATES**

Orders

Application for a liability order (each
defendant)

NOTE: This fee is payable on the making of 10.00
the application.

Commitment

Complaint (or application) and summons

Warrant of arrest 10.00

Commitment order 40.00

NOTE: The fee for a commitment order is payable on the making of the order.

COPY 1.10

First photocopy or 90 word folio of any
document

Each folio of succeeding 90 words 0.55

Each additional photocopy 0.10

NOTE: No fee shall be charged in pursuance hereof for a copy of a summons, of an order or of a warrant in a case in which, as hereafter provided, a fee is authorised for the summons, the order or, as the case may be, the warrant and a copy thereof. For the purposes hereof, a reference to a photocopy includes a reference to any other facsimile copy, however made.

DUPLICATE 5.00

For the duplicate of any document

FAMILY PROCEEDINGS 30.00

Applications under Parts I or II of the
Children Act 1989 ^{M2}, [^{F9}section 30 of the
Human Fertilisation and Embryology Act
1990], Part I of the Domestic Proceedings
and Magistrates' Courts Act 1978 ^{M3},
except under section 16 of that Act for the
protection of a spouse or child from violence,
the Adoption Act 1976 ^{M4}, except under
section 21 of that Act, and all applications

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for financial orders (excluding applications to vary or discharge such orders or in respect of claims for maintenance or maintenance orders made to the benefit of, or against, a person residing outside the United Kingdom)

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| Applications under section 31 (care or supervision order), 36 (education supervision order) or 43 (child assessment order) of the Children Act 1989 | 50.00 |
| Applications (a) to vary, extend or discharge an order; (b) for contact or refusal of contact with a child in care, to change a child's surname or remove the child from the jurisdiction; and (c) under section 21 of the Adoption Act 1976 | 20.00 |
| Applications under [F10 Part XA] (affecting the registration of a child minder or day carer including appeals against cancellation or varying the conditions of the registration) of, and paragraph 8(1) of Schedule 8 (appeals concerning foster parenting) to, the Children Act 1989 | 50.00 |

NOTE: When an application requires the leave of the court, the relevant fee applies where leave is sought but no further fee may be charged if leave is granted and the application is made.

| | |
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| LICENCES | 8.00 |
| For every licence, consent or authority not otherwise provided for, to include registration when necessary | |
| Application for the revocation of a licence not otherwise provided for | 30.00 |
| OATHS | 8.00 |
| Attestation of constable | |
| Every oath, affirmation or solemn declaration not otherwise charged (no fee is payable for the swearing in of witnesses in civil proceedings or in any case where an Act of Parliament directs that no fee shall be taken) | 8.00 |
| OTHER CIVIL PROCEEDINGS | 3.50 |
| Complaint or application | |
| Summons and copy | 3.50 |
| Order and copy | 16.50 |
| Warrant and copy | 6.50 |
| WARRANT OF ENTRY | 2.25 |
| Application for a warrant of entry | |

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NOTE:

1. Nothing in this Part shall be construed as authorising—
 - (a) the collection of any fee from any person who is [^{F3}receiving services funded by the Legal Services Commission as part of the Community Legal Service] or is in receipt of income support [^{F4}under section 124 of the Social Security Contributions and Benefits Act 1992,][^{F5}of an income-based jobseeker's allowance (payable under the Jobseekers Act 1995)][^{F6},of guarantee state pension credit (under section 1(3)(a) of the State Pension Credit Act 2002)][^{F7}, of any element of child tax credit other than the family element or of working tax credit]; or
 - (b) where, in family proceedings, a fee is payable, as herebefore provided, in respect of an application for any order, the demand of a fee in respect of any action which may subsequently be taken in relation to the enforcement of the order in question.
2. Only one fee is payable where more than one document is issued in relation to a partnership.
3. Nothing in this Part shall be construed as authorising the collection of any fee from any person in respect of any stage in binding over proceedings. For the purpose of this Part, "binding over proceedings" means any proceedings instituted (whether by way of complaint under section 115 of this Act or otherwise) with a view to obtaining from a magistrates' court an order requiring a person to enter into a recognizance to keep the peace or to be of good behaviour.]

Textual Amendments

- F3** Words in Sch. 6 Pt. I Note para. 1(a) substituted (1.4.2000) by 1999 c. 22, s. 24, Sch. 4 paras. 15, **20** (with s. 107, Sch. 14 para. 7(2)); S.I. 2000/774, **art. 2(a)(ii)**
- F4** Words in Sch. 6 Pt. I Note para. 1(a) substituted (6.4.2003) by 2002 c. 21, ss. 47, 61, Sch. 3 para. 2(a); S.I. 2003/962, **art. 2(3)(b)(d)** (subject to arts. 3, 4)
- F5** Words in Sch. 6 Pt. I Note para. 1(a) inserted (7.10.1996) by 1995 c. 18, s. 41(4), **Sch. 2 para. 4**; S.I. 1996/2208, **art. 2(b)**
- F6** Words in Sch. 6 Pt. 1 Note para. 1(a) inserted (2.7.2002 for certain purposes and otherwise 6.10.2003) by 2002 c. 16, s. 14, Sch. 2 Pt. 3 para. 25; S.I. 2002/1691 art. 2; S.I. 2003/1766, **art. 2**
- F7** Words in Sch. 6 Pt. 1 Note para. 1(a) inserted (6.4.2003) by 2002 c. 21, ss. 47, 61, Sch. 3 para. 2(b); S.I. 2003/962, **art. 2(3)(d)** (subject to arts. 3 and 4)
- F8** By virtue of the Child Support Appeals (Jurisdiction of Courts) Order (S.I. 1993/961) appeals under section 20 relating to issues of parentage are to be made to the court instead of to the child support appeals tribunal.
- F9** Words in Sch. 6 Pt. I inserted (1.2.1995) by S.I. 1994/3250, **art. 2**
- F10** Words in Sch. 6 Pt. I substituted (2.7.2001) by 2000 c. 14, s. 116, **Sch. 4 para. 7**; S.I. 2001/2041, **art. 2(1)(d)(i)(2)(3)** (with transitional provisions and savings in Sch.)

Marginal Citations

- M1** 1991 c.48.
M2 1989 c.41.
M3 1978 c.22.
M4 1976 c.36.

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PART II

MATTERS IN RESPECT OF WHICH NO FEES ARE CHARGEABLE

- 1 Any summons, warrant, notice or order issued, given or made under section 83(1) or (2), 88, 89 or 136 of this Act, or section 104 of the General Rate Act 1967, or under any rule made for the purposes of those provisions.
- 2 Any criminal matter, but this paragraph shall not prevent the charging of a fee for supplying, for use in connection with a matter which is not a criminal matter, a copy of a document prepared for use in connection with a criminal matter.

PART III

MATTERS TO WHICH PART I DOES NOT APPLY

F11

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Textual Amendments

F11 Sch. 6 Pt. III para. 1 repealed by Billiards (Abolition of Restrictions) Act 1987 (c. 19), s. 1, **Sch.**

F12

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Textual Amendments

F12 Sch. 6 Pt. III para. 2 repealed by Local Government (Miscellaneous Provisions) Act 1982 (c. 30, SIF 81:1), s. 47(3), **Sch. 7 Pt. I**

- 3 Licences under [^{F13}section 1 of the Cinemas Act 1985].

Textual Amendments

F13 Words substituted by Cinemas Act 1985 (c. 13, SIF 45A), s. 24(1), **Sch. 2 para. 12**

F14

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Textual Amendments

F14 Sch. 6 Pt. III para. 4 repealed by Pilotage Act 1987 (c. 21, SIF 111), s. 32(5), **Sch. 3**

- 5 Matters in respect of which fees are authorised to be charged by section 29 of the Licensing Act 1964.

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