

1970 No. 1870 (L.38)

SUPREME COURT OF JUDICATURE, ENGLAND

FEES AND STAMPS

The Supreme Court Fees Order 1970

Made - - - 11th December 1970

Coming into Operation 11th January 1971

The Lord Chancellor, the Judges of the Supreme Court and the Treasury, in exercise of the powers and authorities vested in them respectively by section 213 of the Supreme Court of Judicature (Consolidation) Act 1925(a), section 365(3) of the Companies Act 1948(b) and sections 2 and 3 of the Public Offices Fees Act 1879(c), do hereby, according as the provisions of the said enactments respectively authorise and require them, make, advise, concur in, sanction and consent to the following Order :—

1.—(1) This Order may be cited as the Supreme Court Fees Order 1970 and shall come into operation on 11th January 1971.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. In this Order, unless the context otherwise requires—

(a) an Order or rule referred to by number means the Order or rule so numbered in the Rules of the Supreme Court 1965(e), as amended (f), and expressions defined in those Rules shall have the same meaning in this Order ;

(b) a fee referred to by number means the fee so numbered in the schedule to this Order ;

(c) a section referred to by number in section 10 of the schedule means the section so numbered in the Companies Act 1948.

3.—(1) Subject to the provisions of sub-paragraph (2) of this Article, the fees set out in column 2 of the schedule to this Order shall be taken in the Supreme Court in respect of the items set out opposite thereto in column 1.

(2) In the case of Fees Nos. 62, 67(b), 70(b), 83 and 90(a) (in which the amounts expressed in decimal currency in column 2B do not precisely correspond with those set opposite thereto in column 2A) the fees mentioned in column 2B and not those mentioned in column 2A shall be taken on and after 15th February 1971.

4. The provisions of this Order shall not apply to—

(i) non-contentious probate business ;

(ii) proceedings in bankruptcy ;

(iii) proceedings in the Court of Protection, except insofar as any fee prescribed in section 8 of the schedule is applicable ;

(a) 1925 c. 49.

(c) 1879 c. 58.

(e) S.I. 1965/1776 (1965 III, p. 4995).

(b) 1948 c. 38.

(d) 1889 c. 63.

(f) There are no relevant amendments.

- (iv) the enrolment of documents ;
- (v) criminal proceedings (except proceedings on the Crown side of the Queen's Bench Division to which the scale contained in the schedule is applicable) ;
- (vi) proceedings by sheriffs, under-sheriffs, deputy-sheriffs or other officers of the sheriff.

5. Where it appears to the Lord Chancellor that the payment of any fee specified in the schedule would, owing to the exceptional circumstances of the particular case, involve undue hardship, the Lord Chancellor may reduce or remit the fee in that case.

6. Where by any convention entered into by Her Majesty with any foreign power it is provided that no fee shall be required to be paid in respect of any proceedings, the fees specified in this Order shall not be taken in respect of those proceedings.

7.—(1) The fees prescribed by this Order shall, subject to the provisions of paragraph (2) of this Article, be taken in cash and the document indicated in column 3 of the schedule shall be marked by the officer of the court receiving the fee, showing the amount of the fee and the date of its receipt.

(2) Fee No. 54 may, and Fees Nos. 55, 56 and 69 shall, be taken by transfer from money in court.

(3) Fee No. 83 may be taken by adhesive fee stamps.

8.—(1) In the case of Fees Nos. 28, 29, 30 and 31, (being fees payable in the Chancery Division) payment shall be made at such time as the Court may direct and, if an account or inquiry is not completed, the party having conduct of the proceedings shall pay such fee as the Court may direct.

(2) In any case to which the foregoing sub-paragraph applies, the Court may direct the party having conduct of the proceedings to make a deposit of money on account of the fees which may become payable.

(3) Where any fee is paid or deposit made under the provisions of this Article, the receipt thereof shall be marked on the praecipe or such other document as the Court may direct.

9. The Supreme Court Fees Order 1961(a), as amended (b), is hereby revoked, save as to any fee or percentage due or payable before the commencement of this Order.

Dated 11th December 1970.

Hailsham of St. Marylebone, C.
Parker of Waddington, C.J.
Denning, M.R.
J. E. S. Simon, P.

Dated 11th December 1970.

David Howell,
Bernard Weatherill,
Two of the Lords Commissioners
of Her Majesty's Treasury.

(a) S.I. 1961/2307 (1961 III, p. 4055).

(b) S.I. 1962/383, 1963/2007 (1962 I, p. 342; 1963 III, p. 4244).

SCHEDULE

- Section 1 Fees payable in every division of the High Court.
 Section 2 Fees payable in the Chancery Division.
 Section 3 Fees payable in Probate Matters.
 Section 4 Fees payable in the Queen's Bench Division.
 Section 5 Fees payable in Admiralty Matters.
 Section 6 Fees payable in the Court of Appeal.
 Section 7 Fees payable on filing, searches for, inspection and copies of documents.
 Section 8 Fees payable in the Supreme Court Pay Office.
 Section 9 Fees payable on the taxation of costs.
 Section 10 Fees payable on proceedings under the Companies Act 1948.
 Section 11 Miscellaneous fees.

Note: In this Schedule, amounts of fees are shown in £ s. d. in column 2A and their decimal equivalents are shown in column 2B.

SECTION 1

FEES PAYABLE IN EVERY DIVISION OF THE HIGH COURT

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
<i>Commencement of a cause or matter</i>			
1. On sealing a writ of summons for the commencement of an action— (a) where the claim is for a liquidated sum not exceeding £750, (b) in any other case.	6 0 0 10 0 0	6·00 10·00	The filed copy.
2. On sealing an originating summons, where no other fee is specially provided.	4 0 0	4·00	The filed copy.
3. On sealing a concurrent or renewed writ of summons or a concurrent originating summons.	0 10 0	0·50	The praecipe.
4. On sealing an amended writ of summons or an amended originating summons.	0 10 0	0·50	The filed copy.
5. On presenting an originating petition, except where a fee under section 10 of this Schedule is payable.	4 0 0	4·00	The petition.
6. On sealing an originating notice of motion, except a notice of appeal to the High Court.	6 0 0	6·00	The notice of motion.
7. On amending an originating petition or an originating notice of motion on which Fee No. 6 has been paid or is payable.	0 10 0	0·50	The amended petition or notice.

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
8. On an originating <i>ex parte</i> application where no other fee is specifically prescribed: Provided that, where the applicant is directed to issue an originating summons, credit for the fee paid on the <i>ex parte</i> application is to be given against the fee payable on the summons.	£ s. d. 2 0 0	£ 2·00	The affidavit filed in support of the application.
<i>Interlocutory applications, etc.</i> 9. On an <i>ex parte</i> application— (a) for leave to serve process out of the jurisdiction or by a substituted mode of service or to dispense with service thereof, or (b) for a garnishee or charging order nisi.	1 0 0	1·00	The affidavit filed in support of the application, or, if there is no affidavit, the praecipe.
10. On sealing— (a) a summons, or (b) a notice under Order 25, rule 7(3).	1 0 0	1·00	The summons or notice.
11. On sealing a notice for attendance at chambers on an originating summons to which an appearance is required to be entered.	0 10 0	0·50	The notice or the filed copy thereof.
12. On filing a notice of motion (except a motion for judgment) or a case on motion where no notice is filed.	2 0 0	2·00	The notice or case.
13. On sealing a notice under Order 16, rule 1 or 8.	2 0 0	2·00	The filed copy.
14. On bespeaking a request for the service of process or notice thereof out of the jurisdiction.	2 0 0	2·00	The praecipe or request.
15. On sealing a commission or letter of request for the examination of witnesses abroad.	2 0 0	2·00	The praecipe or request.
16. On the examination of a witness, including a judgment debtor, before an officer of the court.	2 0 0	2·00	The praecipe.
<i>Entry or setting down for trial in court</i> 17. On setting down a cause on motion for judgment.	5 0 0	5·00	The praecipe or notice of motion.
18. On entering or setting down a cause or matter in the Short Cause List or entering a Probate action as a short cause.	5 0 0	5·00	The filed copy of pleadings.

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
19. On filing— (a) notice of appeal to the High Court, or (b) a case stated or a special case for the opinion of the High Court pursuant to statute and setting the appeal or case down for hearing.	6 0 0	6·00	The notice or case.
20. On entering or setting down any other cause or matter, including a reference to an Official Referee, for trial, hearing or further consideration in court, except where— (a) it is otherwise provided in this Schedule, or (b) Fee No. 6, 78, 79 or 80 has been paid, or (c) in the case of a reference to an Official Referee, this fee has already been paid in respect of the same cause or matter.	10 0 0	10·00	The praecipe or the filed copy of the pleadings or the notice of trial.
<i>Writs</i> 21. On sealing a writ of subpoena ad testificandum or duces tecum, for each witness.	0 5 0	0·25	The praecipe.
22. On sealing a writ of execution.	2 0 0	2·00	The praecipe.

SECTION 2

FEES PAYABLE IN THE CHANCERY DIVISION

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
23. On presenting a petition of course.	2 0 0	2·00	The petition.
24. On filing a scheme pursuant to statute.	2 0 0	2·00	The scheme.
25. On filing a memorandum of service of notice of judgment.	1 0 0	1·00	The memorandum.
26. On an originating summons for the payment out of court of a sum not exceeding £200.	1 0 0	1·00	The filed copy.

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
27. On adjourning from chambers into court—			
(a) an originating summons,	4 0 0	4·00	
(b) any other summons or a notice under Order 25, rule 7(3).	2 0 0	2·00	The summons, notice or sealed copy thereof.
28. On the sale, mortgage or purchase of—			
(a) any land or hereditaments, or			
(b) any business (including the goodwill thereof), or			
(c) any chattels			
confirmed or approved by order or certificate,			
for every £100 or fraction of £100 of the price, mortgage money or purchase money up to £500,000 (subject to a minimum fee of £1):	0 2 0	0·10	The certificate, or, if there is no certificate, the summons or other document by which the order was sought.
Provided that—			
(1) in the case of a sale, for the purpose of calculating the amount of this fee any sum payable out of the price to a mortgagee or other person entitled to a charge, estate or interest on or in the property sold, who though consenting to or concurring in the sale is not a party to or bound by the proceedings, is to be deducted from the price;			
(2) if for any reason after payment of this fee on a sale, the sale is not completed and the property is subsequently sold to another purchaser, credit is to be given for the fee already paid on the abortive sale against the fee payable on the completed sale; but in no case is any part of the fee paid on the abortive sale to be repaid;			
(3) if Fee No. 29(b), 30(b) or 31 has been paid or is payable in respect of the property ordered to be sold or any part thereof, then such property or such part thereof (as the case may be) shall be exempt from the payment of this fee;			
(4) where leave is given to sell at a minimum price, this fee is payable as if the order giving leave were an order for sale at that price.			
29. On taking an account of moneys—			
(a) received by a person liable to account therefor, or			
(b) due to any person,			

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
<p>for every £100 or fraction of £100 of the amount received or found due, up to £500,000 (subject to a minimum fee of £1):</p>	<p>£ s. d.</p> <p>0 2 0</p>	<p>£</p> <p>0·10</p>	<p>The certificate.</p>
<p>Provided that—</p>			
<p>(1) in the taking of an account of moneys received as in (a) above, this fee is not payable on moneys being proceeds of sale on which Fee No. 28 has been paid, or estate, property or assets on which Fee No. 31 has been paid;</p>			
<p>(2) in a debenture holders' action no fee is payable for taking an account of what is due to the debenture holders.</p>			
<p>30. On an inquiry—</p>			
<p>(a) as to damages, or</p>			
<p>(b) to ascertain the person or persons interested in any property,</p>			
<p>for every £100 or fraction of £100 of the amount certified or of the value of the property up to £500,000 (subject to a minimum fee of £1):</p>	<p>0 2 0</p>	<p>0·10</p>	<p>The certificate.</p>
<p>Provided that, if Fee No. 28 or 29(a) has been paid or is payable in respect of the property or any part thereof, such property or part thereof shall be exempt from payment under paragraph (b) of this fee.</p>			
<p>31. On ascertaining pursuant to an order—</p>			
<p>(a) the estate, or outstanding estate, of any person, or</p>			
<p>(b) any property subject to a trust, mortgage or charge, or</p>			
<p>(c) any partnership assets,</p>			
<p>for every £100 or fraction of £100 of the amount or value thereof up to £500,000 (subject to a minimum fee of £1):</p>	<p>0 2 0</p>	<p>0·10</p>	<p>The certificate.</p>
<p>Provided that the amount on which this fee is payable shall not include any outstanding bad or irrecoverable debts or any sum on which Fee No. 28, 29(a) or 30(b) has been paid or is payable, but shall include all sums paid after the commencement of the proceedings to creditors or to persons beneficially interested.</p>			

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
<p>32. On an order for payment or transfer out of court of any funds standing to the credit of an account which has not been dealt with (otherwise than by continuous investment or placing on deposit of dividends) for a period of at least five years, or, in the case of an account of an infant, for at least five years after the infant has attained 18, for every £100 or fraction of £100 of the actual value ordered to be paid or transferred out:</p> <p>Provided that—</p> <p>(1) in calculating this fee, if the funds have been the subject of an inquiry the certificate of which was dated after the commencement of the period, credit is to be given for the amount paid under Fee No. 30 or for the portion thereof attributable to the funds ordered to be paid or transferred out of court;</p> <p>(2) the document shall be marked to show the payment of this fee after the order has been made but before it is perfected.</p>	£ s. d.	£	The summons or other document by which the order was sought.
	0 5 0	0·25	
<p>33. On settling—</p> <p>(a) an arrangement approved by the court under section 1 of the Variation of Trusts Act 1958,</p> <p>(b) a scheme—</p> <p>(i) for the management of a charity, or where the amount involved does not exceed £1,000,</p> <p>(ii) in any other case:</p> <p>Provided that, if there is no certificate, the document shall be marked to show the payment of this fee after the order has been made but before it is perfected.</p>	10 0 0	10·00	The certificate, or, if there is no certificate, the summons or other document by which the order was sought.
	4 0 0	4·00	
	10 0 0	10·00	
<p>34. On a certificate of a Master or District Registrar—</p> <p>(a) in the case of a certificate, endorsed on an order, of completion of security—</p> <p>(i) by undertaking,</p> <p>(ii) in any other case,</p> <p>(b) in the case of any other such certificate (in addition to any amount payable under Fees Nos. 28-32 inclusive).</p>	0 10 0	0·50	The indorsement on the order.
	1 0 0	1·00	
	1 0 0	1·00	The certificate.

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
35. On signing, settling or approving an advertisement.	1 0 0	1·00	The draft advertisement.
36. On settling a lodgment schedule for payment into court of purchase or other money.	0 10 0	0·50	The schedule.
37.—(a) On referring a bill of costs to a Taxing Master from chambers without an order,	0 10 0	0·50	The reference.
(b) on assessing costs—			
(i) where the amount assessed does not exceed £5.	0 5 0	0·25	
(ii) where the amount assessed exceeds £5, but does not exceed £100, for every £1 or fraction of £1,	0 1 0	0·05	
(iii) where the amount assessed exceeds £100—			
for the first £100,	5 0 0	5·00	
for every £2 or fraction thereof over £100.	0 1 0	0·05	The bill.
38. On a reference to the conveying counsel of the court.	1 0 0	1·00	The reference.
39. On settling—			
(a) a deed or other instrument, or			
(b) particulars and conditions of sale, whether together or separately.	2 0 0	2·00	The draft.
40. On fixing the reserve on a sale out of court.	2 0 0	2·00	The proposed reserve.

SECTION 3

FEES PAYABLE IN PROBATE MATTERS

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
<i>Probate</i>			
41. On sealing a subpoena under section 23 of the Court of Probate Act 1858.	1 0 0	1·00	The praecipe.
42. On settling and sealing a citation.	1 0 0	1·00	The praecipe.

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
43. On taking an account of an administrator and receiver pending suit or other person liable to account, for every £100 or fraction of £100 received without deducting any payments (subject to a minimum fee of £1).	0 2 0	0·10	The account.

SECTION 4

FEES PAYABLE IN THE QUEEN'S BENCH DIVISION

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
44. On an application by a Justice of the Peace (other than a stipendiary magistrate) to take the oath of allegiance and judicial oath.	5 0 0	5·00	The oath.
45. On an inquiry, trial or assessment of damages before a Master or District Registrar, or on any summons, adjourned for the examination of witnesses.	2 0 0	2·00	The order, summons, judgment or certificate.
46. On sealing a summons for bail.	1 0 0	1·00	The summons.
47. On sealing a notice of appeal from a Master or District Registrar to a Judge in Chambers.	1 0 0	1·00	The notice.
48. On taking a receiver's account—			
(a) where the amount received is less than £50,	0 10 0	0·50	
(b) in every other case.	1 0 0	1·00	The account or certificate.

SECTION 5

FEES PAYABLE IN ADMIRALTY MATTERS

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
<i>In the Admiralty Registry</i>			
49. On filing—			
(a) a consent to release,	1 0 0	1·00	The consent.
(b) a praecipe under Order 75, rules 5(4), 6(1), 8(3), 13(6)(b), 14(1) or 21(1), or a notice under Order 75, rule 13(2),	1 0 0	1·00	The praecipe or notice.

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
(c) an agreement under Order 75, Rule 35,	1 0 0	1·00	The agreement.
(d) an admission of liability,	1 0 0	1·00	The admission.
(e) a request for the attendance of Trinity Masters or other assessors,	1 0 0	1·00	The praecipe.
(f) any other document.	0 5 0	0·25	The document filed.
50. On entering a reference for hearing by the Registrar,	6 0 0	6·00	The praecipe.
51. On sealing a notice of appeal from a Registrar or a District Registrar to a Judge in Chambers.	1 0 0	1·00	The notice.
52. On a certificate by the Registrar as to a judgment or order.	1 0 0	1·00	The certificate.
<i>In the Marshal's Office</i>			
53. On lodging with the Marshal any instrument under Order 75, rule 5(1), 13(1) or 23(2).	4 0 0	4·00	The instrument.
54. On the appointment and swearing of appraisers.	2 0 0	2·00	The certificate of appraisement (unless paid like Fees Nos. 55 and 56).
55. On the delivery of a ship or goods to a purchaser.	4 0 0	4·00	} These fees are paid by transfer from the proceeds in court to the account of fees on proceedings.
56. On the sale of a ship or goods, for every £100 or fraction of £100 of the price.	1 0 0	1·00	
57. For attending the discharge of a cargo or the removal of a ship or goods for each day of attendance.	5 0 0	5·00	The Marshal's certificate of execution.

SECTION 6

FEES PAYABLE IN THE COURT OF APPEAL

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
58. On filing a notice of appeal—			
(a) from a county court—			
(i) if the appeal is entered in an interlocutory list,	4 0 0	4·00	
(ii) if the appeal is entered in any other list,	6 0 0	6·00	

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
(b) in any other case— (i) if the appeal is entered in an interlocutory list, (ii) if the appeal is entered in any other list.	5 0 0 10 0 0	5·00 10·00	The notice of appeal.
59. On filing a notice of cross-appeal or a respondent's notice under Order 59 rule 6(1)— (a) if the appeal is entered in an interlocutory list, (b) if the appeal is entered in any other list.	2 0 0 4 0 0	2·00 4·00	The notice.
60. On filing a notice of motion.	2 0 0	2·00	The notice.

SECTION 7

FEES PAYABLE ON FILING, SEARCHES FOR, INSPECTION AND COPIES OF DOCUMENTS

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
<i>Filing</i> 61. On filing an affidavit or any other document in any office of the Supreme Court (unless otherwise provided by this Schedule): Provided that, save in the case of an affidavit marked with Fee Nos. 8, 9 or 86, this fee is not payable on filing— (a) a document already marked with a fee prescribed in this Schedule, or (b) a notice withdrawing a cause or an appeal.	0 5 0	0·25	The document filed.
62. On a search for an appearance or an affidavit and inspecting the same.	0 2 6	0·13	The search ticket or fee sheet.
63. On any other search (except where Fee No. 88 is payable or the search is made under section 16 of the Bills of Sale Act (1878) Amendment Act 1882), including inspection, for each half-hour or part thereof occupied.	0 5 0	0·25	The search ticket or fee sheet.
64. For a certificate of appearance, or of a pleading, affidavit or proceeding having been entered, filed, or taken, or of the negative thereof, unless otherwise provided.	0 5 0	0·25	The certificate.

Column 1 Item	Column 2 Fee		Column 3 Document to be Marked
	A	B	
	£ s. d.	£	
<i>Copies of documents</i>			
65. For a photographic copy of all or part of any document, whether or not issued as an office copy, for each photographic sheet—			
(a) of A.4 ISO size, foolscap or smaller size,	0 2 0	0·10) The copy, fee sheet or search ticket.
(b) of larger size.	0 4 0	0·20	
66. For a typewritten copy of any document, per page—			
(a) of A.4 ISO size, foolscap or smaller size,	0 4 0	0·20) The fee sheet or search ticket.
(b) of larger size,	0 6 0	0·30	
and for each page of any additional carbon copy bespoken, half of the fee above.			
67. For examining a plain copy and marking the same as an office copy—			
(a) in the case of a photographic copy—for each sheet,	0 2 0	0·10) The office copy.
(b) in any other case—for each sheet.	0 2 6	0·13	
68. For a copy in a foreign language and for a copy of a plan, map, section, drawing, photograph or diagram—			
the reasonable cost thereof as certified by the officer of the court.			The praecipe or copy.

SECTION 8

FEES PAYABLE IN THE SUPREME COURT PAY OFFICE

Column 1 Item	Column 2 Fee		Column 3 Document to be Marked
	A	B	
	£ s. d.	£	
69. For keeping an account of funds in court which have not been dealt with (otherwise than by the continuous investment or placing on deposit of interest) for at least 15 years, and have been carried over to the account of unclaimed balances, per £100 of the value of the funds when carried over:			This fee is paid by transfer from funds in Court to the account of fees on unclaimed balances.
Provided that—	1 0 0	1·00	
(1) this fee is payable out of the funds at the end of the said period;			

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
(2) in the case of an account of an infant, this fee is not payable till after such further period, if any, in addition to the 15 years, as will extend to five years after the infant has attained 18; or, if the date of the birth of the infant is unknown, till after a further period, in addition to the 15 years, of 10 years.	£ s. d.	£	
70. On a request for—			
(a) a certificate of—			
(i) the amount and description of any fund,	0 5 0	0.25	
(ii) lodgment in court of any fund,	0 5 0	0.25	
(iii) non-lodgment in court of any fund,	0 10 0	0.50	
(iv) any transaction for which no other fee is prescribed,	0 5 0	0.25	The request.
(b) the redating of a certificate of the amount and description of any fund,	0 2 6	0.13	The certificate.
(c) a transcript of an account, for each opening:	0 5 0	0.25	The transcript.
Provided that the fees prescribed in paragraphs (a)(i), (b) and (c) shall not be payable in respect of any matter in the Court of Protection.			
71.—(a) On paying, lodging, transferring or depositing funds in court without an order, or in addition to an amount directed by an order to be paid in, or			
(b) on paying out of court any money without an order.	0 5 0	0.25	The request.
72. On a request for information in writing—			
(a) relating to—			
(i) an account which has been closed for upwards of 15 years, or			
(ii) a fund which has not been dealt with for upwards of 15 years,			
where the account or fund is identified in the request by reference to the relevant cause or matter,	0 5 0	0.25	
(b) where no account or fund is specified in the request.	0 10 0	0.50	The request.

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
73. On a lodgment in court on an affidavit under the Trustee Act 1925.	£ s. d. 0 10 0	£ 0-50	The office copy of the schedule to the affidavit.
74. On preparing a power of attorney.	0 10 0	0-50	The power of attorney.

SECTION 9

FEES PAYABLE ON THE TAXATION OF COSTS

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
Item	Fee		Document to be Marked
	A	B	
75. On taking a cash account between solicitor and own client under the Solicitors Act 1957 or otherwise— for every £100 or fraction of £100 of the amounts found to have been received and paid.	£ s. d. 0 1 0	£ 0-05	The fee sheet.
76. On the taxation of a bill of costs— (a) where the amount allowed does not exceed £5, (b) where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction of £1 (c) where the amount allowed exceeds £100— (i) for the first £100, (ii) for every £2 or fraction thereof over £100:	0 5 0 0 1 0 5 0 0 0 1 0	0-25 0-05 5-00 0-05	The bill.
Provided that the taxing officer may in any case require the bill of costs to be stamped before taxation with the whole or part of the amount of fees which would be payable if the bill were allowed by him at the full amount thereof (including, in cases under the Solicitors Act 1957, the fee payable in respect of the cash account).			
77. On the withdrawal of a bill of costs which has been lodged for taxation, such fee (not exceeding the amount which would have been payable under Fee No. 76 if the bill had been allowed in full) as may be reasonable having regard to the amount of work done in the court office.			The bill.

SECTION 10

FEES PAYABLE IN COMPANIES MATTERS

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
78. On presenting a petition under one or more of the following— (a) section 56, to confirm the reduction of a share premium account, (b) section 57, to sanction the issue of shares at a discount, (c) section 67, to confirm a reduction of a capital redemption reserve fund, (d) section 67, to confirm a reduction of capital, or (e) section 206, to sanction a compromise or scheme of arrangement.	10 0 0	10·00	The petition.
79. On presenting a petition under one or more of the following— (a) section 5, to cancel an alteration of objects, (b) section 23, to cancel an alteration in conditions in a memorandum of association, (c) section 72, to cancel any variation of the rights attached to any class of shares, (d) section 353, to restore a name to the register of companies, (e) section 395, to cancel an alteration in the form of the constitution of a company, or (f) section 448, for relief by a company.	6 0 0	6·00	The petition.
80. On presenting a petition for the winding-up of a company by or under the supervision of the court, or for an order under section 210.	6 0 0	6·00	The petition.
81. On a certificate as to debts under sections 5, 23, 56, 58, 67 or 208.	10 0 0	10·00	The certificate.
82. On an inspection of a file of proceedings under rule 19 of the Companies (Winding-up) Rules 1949 by a person not entitled to inspect free of charge.	0 5 0	0·25	The application.
83. On proof of a debt above £5 (other than a proof for workmen's wages).	0 2 6	0·13	The proof.

SECTION 11
MISCELLANEOUS FEES

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
<i>Stop notice</i>			
84.—(a) On filing a notice under Order 50, rule 11,	1 0 0	1·00	The notice.
(b) on amending the same.	0 5 0	0·25	The amended notice.
<i>Registration of judgments</i>			
85. Under the Judgments Extension Act 1868—			
(a) on a certificate of a judgment for registration in Scotland or Northern Ireland,	1 0 0	1·00	The praecipe.
(b) on registration of a certificate issued by a Scottish or Northern Irish court.	1 0 0	1·00	The certificate.
86. Under Part II of the Administration of Justice Act 1920, or the Foreign Judgments (Reciprocal Enforcement) Act 1933 or the Maintenance Orders Act 1950—			
(a) on an ex parte application to register a judgment or order,	1 0 0	1·00	The affidavit filed in support of the application.
(b) on a certified copy of a judgment or order.	1 0 0	1·00	The copy.
<i>Bills of sale</i>			
87. On filing—			
(a) a bill of sale and affidavit therewith, when the consideration (including further advances)—			
(i) does not exceed £100,	0 10 0	0·50	
(ii) exceeds £100 but does not exceed £200,	1 0 0	1·00	
(iii) exceeds £200,	2 0 0	2·00	The bill of sale.
(b) an affidavit of re-registration of a bill of sale or other document under the Bills of Sale Acts 1878 and 1882,	1 0 0	1·00	The affidavit.
(c) a fiat of satisfaction,	0 10 0	0·50	The fiat.
(d) any other document under the Bills of Sale Acts.	1 0 0	1·00	The document filed.
88.—(a) For an official certificate of the result of a search in one name in any register or index under the custody of the Registrar of bills of sale,	0 10 0	0·50	
for every additional name, if included in the same certificate,	0 5 0	0·25	

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
	£ s. d.	£	
(b) for a continuation search, if made within one calendar month of date of official certificate (the result to be endorsed on each certificate).	0 5 0	0.25	The requisition for search.
<i>Commissions, etc.</i>			
89. On sealing or issuing a commission to take oaths or affidavits in the Supreme Court.	10 0 0	10.00	The commission or certificate.
90. Upon an application for the production of records or documents to be given in evidence—			
(a) where the records or documents are sent by post—			
for the first document,	0 10 0	0.50	The application.
for each additional document,	0 2 6	0.13	The application.
(b) where an officer is required to produce the records or documents in court	1 0 0	1.00	
and, in addition,			
(i) for every half-day or part thereof that he is necessarily absent from his office, and	2 0 0	2.00	
(ii) his reasonable expenses of attendance:			The application or fee sheet.
Provided that the Court may require—			
(1) a deposit of money on account of any further fees and a deposit of money on account of any further expenses which may probably become payable beyond the amount paid for fees and expenses on the application, receipt of which shall be marked on the application;			
(2) an undertaking in writing to pay any further fees and expenses which may become payable beyond the amounts so paid and deposited.			
91. On taking an affidavit or an affirmation or attestation upon honour in lieu of an affidavit or a declaration except for the purpose of receipt of dividends from the Accountant-General,			
for each person making the same,	0 5 0	0.25	
and, in addition thereto, for each exhibit therein referred to and required to be marked.	0 2 0	0.10	The affidavit, affirmation or declaration.
92.—(a) On approving—			
(i) a guarantee,	1 0 0	1.00	The guarantee.
(ii) an undertaking in lieu of a guarantee,	0 10 0	0.50	The undertaking.

Column 1	Column 2		Column 3
Item	Fee		Document to be Marked
	A	B	
<p>(b) (i) On vacating a guarantee,</p>	£ s. d. 1 0 0	£ 1.00	When the vacating or discharge is conditional, the duplicate of the order.
<p>(ii) on discharging an undertaking in lieu of a guarantee:</p> <p>Provided that, when the vacating or discharge is unconditional, the document shall be marked to show the payment of Fee No. 92(b) after the order has been made but before it is perfected.</p>	0 10 0	0.50	When the vacating or discharge is unconditional, the summons or other document by which the order was sought.
<p>93. On sealing or issuing any document, not being a judgment or order, where no other fee is prescribed by this Schedule:</p> <p>Provided that this fee is not payable on a writ of habeas corpus.</p>	0 10 0	0.50	The document sealed or issued or praecipe.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order replaces the Supreme Court Fees Order 1961 and provides that all fees shall be paid in cash with the exception of those which are payable by transfer from funds in court, and of the fee payable on an affidavit of proof of debt, which may be paid by adhesive stamps. The use of impressed stamps is thereby abolished. The fee on sealing a writ of summons is increased to £10 (£6 on claims under £750) and the fees on entering an action for trial and on sealing a writ of execution are also increased. Minor amendments include a change in the basis of calculating the fee for typed copies of documents. Fees payable in the Court of Appeal are amended so that they will now be payable on filing a respondent's notice under Order 59 rule 6(1) and on filing a notice of motion, and a number of amendments (including the removal of obsolete fees) are made in consequence of the revision of the Rules of the Supreme Court. The amounts of all fees are expressed both in £ s. d. and in decimal equivalents.

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