

1975 No. 1087**ECCLESIASTICAL LAW****The Legal Officers Fees Order 1975**

<i>Made (Approved by the General Synod)</i>	1st July 1975
<i>Laid before Parliament - - - -</i>	8th July 1975
<i>Coming into Operation - - - -</i>	1st October 1975

We, the Fees Committee constituted in accordance with the provisions of section 1 of the Ecclesiastical Fees Measure 1962(a) in the exercise of the powers conferred by that section, do hereby order as follows:—

1. The Tables of Fees set forth in the Schedule to the Order are hereby established and contain particulars of the fees which are to be demanded taken and received by the respective legal officers named in the Schedule for the performance by them after the commencement of this Order of the duties of their offices in relation to the respective matters specified in the Schedule.

2. The following fees shall no longer be payable:—

- (i) The fees in Table I, III, IV and V of the Legal Officers Fees Order 1964(b);
- (ii) The fees in the Legal Officers Fees (Ecclesiastical Jurisdiction) Order 1966(c);
- (iii) The fees in the Legal Officers Fees Order 1967(d) other than Item 1;
- (iv) The fees in the Legal Officers Fees (Faculties) Order 1967(e).

3. A fee in a Table of Fees set forth in the Schedule to this Order may be increased by a sum for reasonable expenses of travel.

4. This Order may be cited as the Legal Officers Fees Order 1975 and shall come into operation on the 1st October 1975.

Dated the first day of June 1975.

Conolly H. Gage.
J. R. Cumming Bruce.
H. Montgomery Campbell.

Approved by the General Synod.

W. D. Pattinson, Secretary-General.

1st July 1975.

(a) 1962 No. 1.

(b) S.I. 1964/1033 (1964 II, p. 2269).

(c) S.I. 1966/149 (1966 I, p. 268).

(d) S.I. 1967/1658 (1967 III, p. 4515).

(e) S.I. 1967/1001 (1967 II, p. 3027).

SCHEDULE

TABLE I

MISCELLANEOUS FEES

<i>Item</i>	<i>Fee</i>	
	£	p
1. Annual fee for Registrar of the Province of Canterbury	5,000	00
2. Annual fee for Registrar of the Province of York	2,000	00
3. Consent to hold preferment under the Ecclesiastical Jurisdiction Measure 1963—		
payable to each Diocesan Registrar	1	05
payable to Provincial Registrar	8	40
4. Installation to Deanery payable to Chapter Clerk out of Capitular Revenues	21	00
5. Installation to a Canonry or Prebend whether Residentiary or Honorary or to an Archdeaconry, payable to the Chapter Clerk out of Capitular Revenues	10	50
6. Admission to Minor Canonry payable to Chapter Clerk out of Capitular Revenues	6	30
7. Consecration of a Church and Burial Ground or a Church without a Burial Ground—		
payable to Vicar General or Chancellor... ..	8	40
payable to Diocesan Registrar	33	60
8. Consecration of a Cemetery or Burial Ground—		
payable to Vicar General or Chancellor... ..	6	30
payable to Diocesan Registrar	25	20
9. Preparation and Registration of documents required under the Consecration of Churchyards Act 1867 for consecration of additions to churchyards, payable to Diocesan Registrar ...	14	70
10. Licence of Temporary Church, Mission Building or Room where Church is closed, payable to Diocesan Registrar	16	30
11. Licence of Burial Ground until Consecration payable to Diocesan Registrar	4	20
12. Licence of Building for Marriages, including settling area to which licence should apply, payable to Diocesan Registrar	21	00
13. Order for licensed Chapel to come under Faculty Jurisdiction, payable to Diocesan Registrar	6	30
14. Notices under S.2 of the Benefices (Transfer or Rights of Patronage) Measure 1930, payable to Diocesan Registrar in such proportions as may be agreed between the transferor and the transferee or in the absence of such agreement by the transferee	9	00
15. Notices under the Benefices (Exercise of Rights of Presentation) Measure 1931 if Body of Advisers is consulted, payable to Diocesan Registrar by person requiring consultation	9	00
16. Investigating Title in case of change of patronage since the last presentation, payable to Diocesan Registrar by Patron...		Fee based on the Solicitors Remuneration Order 1972.
17. Archbishop's dispensation to deacons and priests under minimum age for ordination—		
payable to Diocesan Registrar	2	10
payable to Provincial Registrar	6	30

	£	p
18. Permission under Overseas and other Clergy (Ministry and Ordination) Measure 1967, payable to Provincial Registrar	6	30

Provisions relating to Table I—

1. Items 1, 2, 3, 13, 17 and 18 are the liability of the Archbishop or Bishop, and section 5 of the Ecclesiastical Fees Measure 1962 applies to them.
2. Items 7, 8, 9, 10, 11 and 12 are payable by the person petitioning for the consecration or licence.

TABLE II
FEES FOR FACULTIES

	<i>Registrar or other Officer by usage performing the duty</i>	
	<i>Vicar- General or Chancellor</i>	<i>£ p</i>
	£	p
1. Archdeacon's Certificate. Fee payable on application (rule 3(1))	—	4·20
2. Notice of objection to Archdeacon's Certificate Fee payable on lodging Notice (rule 3(7))	—	1·05
3. Major Faculty for matters specified in Appendix. Fees payable on lodging Petition (rule 4(1)) (see note (a))	4·20	12·60
4. Minor Faculty in other cases. Fees payable on lodging Petition (rule 4(1)) (see note (a))	3·15	7·35
5. On the Judge giving directions under rule 8 that an application for an Archdeacon's Certificate is to be treated as a Petition for a Major Faculty, the applicant, if he wishes to proceed, shall pay a further fee of	4·20	8·40
6. On the Judge giving directions under rule 8 that an application for an Archdeacon's Certificate is to be treated as a Petition for a Minor Faculty, the applicant, if he wishes to proceed, shall pay a further fee of	3·15	3·15
7. Examining Petition with Exhibits and entering same in Court Assnignation Book	—	2·10
8. Submitting to the Chancellor the papers, and obtaining his Fiat... ..	—	1·05
9. Perusing Petition with Exhibits and decreeing Citation	1·05	0·50
10. For every Seal fee	0·35	0·50
11. Drawing and engrossing Citation and recording same in Court Assnignation Book, per folio of 72 words...	—	0·20
12. Copy Citation for service, per folio	—	0·05
13. Examining Certificate of Service and entering same in Court Assnignation Book	—	0·50
14. Filing Proxy on behalf of Petitioners entering in Court Assnignation Book	—	0·50
15. Filing entry of Appearance to Citation	—	0·25
16. Filing amended Appearance	—	0·25
17. Filing Pleading subsequent to the Petition	—	0·25
18. Lodging in the registry a notice objecting to a pleading under rule 5(i) when no hearing	—	1·05

	<i>Vicar-General or Chancellor</i>		<i>Registrar or other Officer by usage performing the duty</i>	
	£	p	£	p
19. Filing amended Pleadings	—		0·25	
20. Filing Interrogatories	—		0·25	
21. Filing Answers of each witness	—		0·25	
22. Every Compulsory, each name	—		0·25	
23. Interlocutory Order for any other purpose in the Cause, each	1·05		0·50	
24. Submitting to the Chancellor the papers and obtaining appointment for Court Day, or Application in Chambers	1·05		1·05	
25. Attending a Summons on application in Chambers...	2·10		1·05	
26. Every Motion in Court	4·20		2·10	
27. Additional fees in faculty cases where for any reason the issue, whether opposed or unopposed, whether interlocutory or final, is to be heard in Court or Chambers,				
(i) if a case lasts half a day or less	25·00		12·60	
(ii) if a case lasts a whole day or more than half fees on same scale for subsequent days	40·00		25·00	
28. Marking and filing each exhibit	—		0·20	
29. Drawing Order or Minute of Court (minimum fee) or per folio of over 10 folios	—		0·10	
30. Fair Copy into Court Assigination Book (minimum fee)	—		0·50	
or per folio if over 10 folios	—		0·05	
31. Drawing Faculty, per folio	—		0·20	
32. Engrossing same, per folio	—		0·08	
33. Enrolling Faculty in Diocesan Faculty Book, per folio	—		0·10	
34. Correspondence (if any) not to exceed without the sanction of the Chancellor	—		4·20	
35. Settling terms of Faculty	4·20		1·05	
36. Entering a Caveat	—		1·05	

Notes:

- (a) In the case of opposed faculties fees under item 3 or item 4, as the case may be, are to be credited to the final bill for fees.
- (b) Any other fees of the Registry in opposed cases are to be paid on the same scale as are allowed for Court fees, from time to time, in the Supreme Court of Judicature.

APPENDIX

Matters for Major Faculties

1. Where estimated cost of work exceeds £800.
2. Where confirmatory faculty is sought.
3. Where grave space is reserved.
4. Where body is to be exhumed.
5. Where light or air agreement is to be approved.
6. Where faculty is sought under Open Spaces Act 1906.
7. Where road widening scheme is approved.
8. Where Chancellor so directs in case of unusual difficulty.

TABLE III
FEES PAYABLE IN CONNECTION WITH APPEALS IN FACULTY CASES

<i>Item</i>	<i>Fee</i> £ p
1. To be paid to registrar by applicant on application to determine the Court to which appeal lies under rule 3—	
If made immediately after the giving of judgement	2·00
If made by notice in writing—	
For Chancellor	4·20
For Registrar	2·50
2. To be paid to registrar by applicant after application by notice in writing under rule 3(3) on notice of time and place of hearing being given by registrar under rule 3(4)—	
For Chancellor	6·30
For Registrar	3·50
3. To be paid to registrar of diocese by appellant on lodging appeal under rule 4	20·00
4. To be paid to registrar of appellate court by appellant on lodging appeal under rule 4	10·00
5. To be paid to registrar of diocese by party applying other than appellant on application for a signed copy of the chancellor's note under rule 4(7)	2·00
6. To be paid to registrar of appellate court by appellant on receiving notice of hearing of the appeal under rule 7—	
For dean of the arches and auditor if hearing appeal	45·00
For registrar	31·50
7. To be paid to registrar of appellate court by appellant for any day or part of a day beyond one that the hearing lasts—	
For dean of the arches and auditor if hearing appeal	45·00
For registrar	31·50
8. To be paid to clerk of the Crown in Chancery by petitioner on lodging petition for review under rule 9—	
For registrar of Court of Ecclesiastical Causes Reserved	20·00
9. To be paid to the registrar of Court of Ecclesiastical Causes Reserved by party applying other than petitioner on application for a signed copy of note of presiding judge under rule 9(7)	2·00
10. To be paid to registrar of appellate court by applicant on lodging interlocutory application under rule 11(2)	2·00
11. To be paid to registrar of appellate court by applicant if notice of hearing given under rule 11(4)	4·00
12. To be paid to registrar of appellate court by appellant on lodging notice of appeal under rule 11(6)—	
For dean of the arches and auditor if hearing the appeal	21·00
For registrar	4·00

TABLE IV
FEES PAYABLE ON TAXATION OF COSTS IN DISCIPLINE AND FACULTY APPEAL CASES

<i>Item</i>	<i>Fee</i> £ p
1. To be paid to register by party applying for taxation on lodging application	2·00
2. To be paid to registrar by party applying on taxation of a bill of costs—	
(a) where the amount allowed does not exceed £5	0·50
(b) where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction of £1	0·10
(c) where the amount allowed exceeds £100—	
(i) for the first £100	10·00
(ii) for every £2 or fraction thereof over £100	0·10

TABLE V
FEES PAYABLE IN CONNECTION WITH DEPOSITION OR WITH DEPRIVATION
CONSEQUENT UPON CERTAIN PROCEEDINGS IN SECULAR COURTS

<i>Item</i>	<i>Fee</i> £ p
1. To be paid to registrar by bishop on notice being served on priest or deacon of intention to depose him from Holy Orders under rule 49(1)	30·00
2. To be paid to provincial registrar by archbishop on notice of appeal being lodged under rule 50(1)	40·00
3. To be paid to registrar by bishop on carrying out his duty or exercising his discretion following upon proceedings referred to in section 55 of the Measure	20·00
4. To be paid to provincial registrar by archbishop on carrying out his duty or exercising his discretion following upon proceedings referred to in section 55 or section 56 of the Measure	20·00

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order increases fees fixed in 1964, 1966 and 1967 which are still in operation.

SI 1975/1087
ISBN 0-11-051087-9



780110 510873