

1979 No. 399

MATRIMONIAL CAUSES
SUPREME COURT OF JUDICATURE, ENGLAND
COUNTY COURTS

The Matrimonial Causes (Costs) Rules 1979

<i>Made - - - -</i>	<i>28th March 1979</i>
<i>Laid before Parliament</i>	<i>3rd April 1979</i>
<i>Coming into Operation</i>	<i>24th April 1979</i>

We, the authority having the power to make rules of court for the purposes mentioned in section 50 of the Matrimonial Causes Act 1973(a), hereby exercise that power as follows:—

Citation and commencement

1.—(1) These Rules may be cited as the Matrimonial Causes (Costs) Rules 1979 and, subject to paragraph (2), shall come into operation on 24th April 1979.

(2) These Rules shall apply to all bills of costs in respect of matrimonial proceedings lodged on or after 24th April 1979, save that for the period of two months thereafter a party entitled to require any costs to be taxed may prepare and lodge a bill in the form required before 24th April 1979 and shall be entitled to have a bill so lodged taxed as if these Rules had not been made.

Interpretation

2.—(1) In these Rules, unless the context otherwise requires—

“the Act of 1974” means the Legal Aid Act 1974(b);

“ancillary application” means an application for one or more of the following forms of relief:—

- (a) ancillary relief,
- (b) an injunction,
- (c) an order under section 37(2)(a) of the Act of 1973 restraining any person from attempting to defeat a claim for financial relief or otherwise for protecting the claim, or
- (d) an order relating to the custody or education of a child or an order committing him to the care of the local authority under section 43 of

(a) 1973 c. 18.

(b) 1974 c. 4.

the Act of 1973 or providing for his supervision under section 44 of that Act, except where the order is made at or immediately after the trial of a cause or on a children appointment;

“children appointment” means an appointment fixed under rule 48(4) of the principal rules, whether or not any such order as is mentioned in paragraph (d) above is made on the appointment;

“matrimonial proceedings” means any proceedings with respect to which rules may be made under section 50 of the Act of 1973;

“principal rules” means the Matrimonial Causes Rules 1977(a);

“the matrimonial scale” means the scale of costs set out in the Appendix to these Rules.

(2) These Rules shall be construed as one with the principal rules.

Powers of registrars and others to tax costs

3.—(1) Without prejudice to a taxing master’s powers, under R.S.C. Order 62, rule 12(1), to tax the costs of or arising out of any cause or matter in the Supreme Court, including matrimonial proceedings, the costs of matrimonial proceedings may be taxed as follows:—

- (a) a registrar of the divorce registry may tax the costs of any matrimonial proceedings in that registry which are treated as pending in a divorce county court, and, subject to paragraph (2) of this rule, any matrimonial proceedings in the High Court;
- (b) a senior executive officer of the divorce registry, authorised in that behalf by the President, may tax the costs of any proceedings within the scope of that authority that a registrar of the divorce registry may tax under sub-paragraph (a);
- (c) the registrar of a district registry may tax the costs of any matrimonial proceedings in the High Court which are proceeding in that registry;
- (d) a registrar of a divorce county court may tax the costs of any matrimonial proceedings in that county court;
- (e) a clerk of a divorce county court who is nominated by the Lord Chancellor for the purpose of this rule may tax the costs of any matrimonial proceedings in that county court if the amount of the bill of costs does not exceed £200;

Provided that—

- (i) a clerk shall not have power to tax a solicitor’s bill of costs in pursuance of an order under the Solicitors Act 1974(b) and
- (ii) a party to the proceedings may, before the taxation begins, object to the bill or to any part of it being taxed by the clerk and, where any such objection is made, that bill or part shall be taxed by the registrar.

(2) Where the costs of or arising out of any matrimonial proceedings in a district registry are to be taxed, and the taxation thereof is within the powers

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of the registrar of that registry, those costs shall be taxed by him unless the Court otherwise directs.

(3) Unless the context otherwise requires, any reference in these Rules (except rule 10) or the principal rules, or in any rules applied by the principal rules, to “the registrar” in relation to the taxation or assessment of any costs shall, where the costs are to be or have been taxed or assessed by a senior executive officer of the divorce registry or a clerk of a divorce county court in exercise of the powers conferred by (b) or (e) of paragraph (1), be construed as a reference to that officer or clerk.

Time for beginning proceedings for taxation

4. A party who is entitled to require the costs of any matrimonial proceedings to be taxed must begin proceedings for the taxation of those costs not later than three months after the judgment, final decree or order in the proceedings:

Provided that where a notice in Form 11 or 13 has been filed within three months after the judgment, final decree or order, the proceedings for taxation may be begun at any time within three months after the making of any order on the application to which the notice relates.

Procedure for taxation

5.—(1) Where a party (in this rule called “the applicant”) is entitled to require taxation of the costs of any matrimonial proceedings, he must within the time (if any) specified in rule 4 of these Rules, lodge his bill of costs, together with all necessary vouchers and papers and a copy of the bill for every party who is liable to pay the costs.

(2) The registrar shall send to every such party a copy of the bill together with a notice requiring him to inform the registrar, within 14 days after receipt of the notice, if he wishes to be heard on the taxation.

(3) If a party to whom notice has been given under paragraph (2) informs the registrar within the time limited that he wishes to be heard on the taxation, the registrar shall fix an appointment for the taxation and give not less than seven days’ notice of the appointment to the applicant and that party.

(4) If no party to whom notice has been given under paragraph (2) informs the registrar within the time limited that he wishes to be heard on the taxation, the registrar, unless he directs otherwise, shall send to the applicant a notice specifying the amount which the registrar proposes to allow in respect of the bill and requiring him to inform the registrar, within 14 days after receipt of the notice, if he wishes to be heard on the taxation.

(5) If the applicant informs the registrar within the time limited that he wishes to be heard on the taxation, the registrar shall fix an appointment for the taxation and give seven days’ notice of the appointment to the applicant.

(6) The foregoing provisions of this rule shall apply to the taxation of a bill which is to be paid out of the legal aid fund under the Act of 1974 subject to the modification that, if the bill is not also to be taxed as between party and party, paragraph (2) shall not apply and paragraph (4) shall apply as if the words preceding “the registrar, unless he otherwise directs” were omitted.

(7) This rule shall not apply to the taxation of a solicitor's bill to his own client.

(8) In relation to matrimonial proceedings C.C.R. Order 47, rule 38 (which deals with taxation between party and party), shall have effect as if paragraph (1) of this rule were substituted for paragraph (1) of that rule.

(9) Paragraphs (1), (2) and (3) of C.C.R. Order 47, rule 40 (which deals with taxation between solicitor and client) shall not apply to the taxation of a bill to which this rule applies.

Scale of costs

6.—(1) The taxation of the costs of matrimonial proceedings shall be in accordance with the matrimonial scale and the provisions of this rule.

(2) On a taxation of the costs of matrimonial proceedings in the High Court the amounts to be allowed shall be in accordance with *column 1* of the matrimonial scale.

(3) On a taxation of the costs of matrimonial proceedings in a divorce county court the amounts to be allowed shall be in accordance with *column 2* of the matrimonial scale, subject to paragraph (4) of this rule.

(4) On a taxation, whether as between party and party or on the common fund basis, of the costs of a cause for divorce or judicial separation which has proceeded throughout in a divorce county court, the amount to be allowed in respect of any item of costs opposite which a sum appears in *column 3* of the matrimonial scale shall not be more or less than that sum unless the registrar, taking into consideration the factors mentioned in C.C.R. Order 47, rule 16, is satisfied that, in the circumstances of the particular case, a higher or, as the case may be, a lower figure than the average for that item in a cause under the same provision of the Act of 1973 is justified.

(5) Except where the judge has otherwise directed and subject to paragraph (4), the registrar may, if he thinks fit, allow on taxation of the costs of matrimonial proceedings in a divorce county court such larger sums than those appearing in *column 2* of the matrimonial scale as he thinks fit.

(6) Where, in respect of proceedings in a divorce county court, allowances are claimed under item 10(a) of the matrimonial scale in more than one section of a bill of costs, the amounts to be allowed shall not, in total, exceed the figure appearing in *column 2*, save where a larger sum is allowed in accordance with paragraph (5).

(7) Disbursements for which no allowance is made in the matrimonial scale shall be taxed and allowed, or disallowed, according to the principles applicable to the taxation of costs generally, contained in R.S.C. Order 62, rules 28, 29 and 31.

Litigants in person

7.—(1) Where in any matrimonial proceedings in a divorce county court any costs of a litigant in person are ordered to be paid by any other party to the proceedings or in any other way, then, unless the court otherwise orders,

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those costs shall be assessed by the registrar without taxation and in determining for the purposes of C.C.R. Order 47, rule 2, the sum which would have been allowed if the work and disbursements to which the costs relate had been done or made by a solicitor on behalf of the litigant in person it shall be assumed that the solicitor would have elected that the costs be fixed under rule 8 of these Rules.

(2) An application for an assessment of costs under this rule shall be made within the time provided by rule 4 for beginning proceedings for a taxation.

Fixed costs

8.—(1) In this rule—

“assisted person” means a person in respect of whom a certificate is in force under Part I of the Act of 1974 entitling him to legal aid in a cause or, as the case may be, an ancillary application from its commencement.

(2) Where in an undefended cause for divorce or judicial separation the petitioner is granted a decree with costs, whether as between party and party or not, the costs shall, if his solicitor so elects, be fixed in accordance with the provisions of this rule instead of being taxed:

Provided that where the petitioner is an assisted person for whom counsel has acted, the costs shall not be fixed unless counsel elects that the sums payable to him under section 10(1) of the Act of 1974 shall be as provided by paragraph (4)(b).

(3) Where costs are fixed there shall be allowed as between party and party such of the following items as are applicable:—

(a) in respect of solicitors' charges—

- | | |
|---|---------|
| (i) if counsel was briefed at the hearing, | £73.75, |
| (ii) if counsel was not briefed at the hearing, | £84.75, |
| (iii) if the case was dealt with in the special procedure list, | £60.50, |
| (iv) where an order has been made for substituted service or to dispense with service, | £ 9.25, |
| (v) for any statement as to the arrangements for the children filed under rule 8(2) of the principal rules, | £ 2.25, |

(b) in respect of counsel's fees—

- | | |
|--|---------|
| (i) for settling the petition, | £ 5, |
| (ii) for giving written advice on evidence, | £ 3.75, |
| (iii) with brief on hearing, | £11, |
| and where there is no local Bar in the court town or within 25 miles thereof, a further sum of | £ 4.50, |
| and | |
| (iv) on conference | £ 2.75; |

(c) in respect of other disbursements, such amounts as would have been allowed if the costs had been taxed, not exceeding (i) in respect of inquiry agents' fees the sum of £27.50 and (ii) in respect of travelling expenses, or the alternative of agency correspondence, the sum of £3.25.

(4) If a petitioner whose costs are to be fixed is an assisted person, then, notwithstanding that the costs have been ordered to be taxed for the purposes of Schedule 2 to the Act of 1974—

- (a) the sums payable under section 10(1) of that Act to the solicitor acting for him shall be such of the fixed amounts specified in paragraph 3(a) and (c) as are applicable, together with a further sum of £7.75;
- (b) the sums payable under the said section 10(1) to counsel acting for the assisted person shall be such of the fixed amounts specified in paragraph 3(b) as are applicable.

(5) A petitioner's solicitor who elects to have his costs fixed under paragraph (2) shall give notice to that effect to the registrar, within the time specified in rule 4 of these Rules, stating the sums which he claims should be allowed, and he shall at the same time lodge all necessary papers and vouchers including, in a case to which the proviso to paragraph (2) applies, counsel's election under that proviso.

(6) Where the petitioner is allowed the costs of a children appointment, whether as between party and party or not, those costs shall, if the petitioner's solicitor so elects and no counsel's fee is claimed, be fixed at the sum of £6.50 together with such of the sums mentioned in paragraph 3(c) as may be appropriate.

Paragraphs (4)(a) (except the words "together with a further sum of £7.75") and (5) shall apply, with the necessary modifications, in relation to the costs mentioned in this paragraph as they apply in relation to the costs mentioned in paragraph (2).

(7) Where an ancillary application is granted with costs, whether as between party and party or not, in the circumstances mentioned in any of the following items, then, unless the registrar otherwise directs, the costs shall, if the applicant's solicitor so elects, be fixed at the sum mentioned in that item instead of being taxed:—

- (a) in respect of solicitors' charges—
 - (i) where a consent order for ancillary relief has been made, £11;
 - (ii) where any other consent order has been made and no affidavit has been filed by either party, £11;
 - (iii) where an order has been made after a hearing at which the respondent has not appeared, £16.50;
 - (iv) where an order has been made after a hearing at which the respondent has appeared, £27.50, or, if counsel is allowed, £24.25;
- (b) in respect of counsel's fees where counsel is allowed—
 - (i) in the circumstances mentioned in item (a)(ii) or (iii), £11;
 - (ii) in the circumstances mentioned in item (a)(iv), £11, with brief and, in addition, £2.75 for any conference;
- (c) in respect of other disbursements—
 - (i) such of the items mentioned in paragraph 3(c) as are appropriate;
 - (ii) such amount as the Law Society certifies to be reasonable for conveying or transferring property pursuant to the order made on the application.

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The proviso to paragraph (2), paragraph (4) (except the words “together with a further sum of £7.75”) and paragraph (5) shall apply, with the necessary modifications, in relation to the costs mentioned in this paragraph as they apply in relation to the costs mentioned in paragraph (2).

(8) Except as provided in paragraphs (6) and (7), nothing in this rule shall apply to the costs of an ancillary application or a children appointment and accordingly the costs of any such application or appointment may be taxed notwithstanding anything done under paragraph (2).

(9) In addition to the amount of costs allowed under the foregoing paragraphs in respect of the supply of goods or services on which value added tax is chargeable there may be allowed as a disbursement a sum equivalent to value added tax at the appropriate rate on that amount.

Payment of costs

9.—(1) Where in any matrimonial proceedings, the costs payable by a party are required to be taxed, they shall be payable within such time as may be specified in an order for payment made on or after the signature of the taxing officer's certificate of the result of the taxation and, unless otherwise directed, the time so specified shall be seven days after the making of the order.

(2) Where costs are to be assessed under rule 7 of these Rules, or are fixed under rule 8 of these Rules, instead of being taxed, paragraph (1) of this rule shall have effect as if for the reference to the taxing officer's certificate of the result of the taxation there were substituted a reference to the registrar's certificate of the amount of assessed or fixed costs allowed.

(3) Section 99(3) of the County Courts Act 1959(a) shall not apply to costs payable under an order made in proceedings pending in a divorce county court.

Personal liability of solicitor for costs

10. Paragraphs (1) to (6) of R.S.C. Order 62, rule 8 (which deals with the personal liability of a solicitor for costs), shall apply to proceedings in a divorce county court as they apply to proceedings in the High Court, subject to the following modifications:—

- (a) “the Court” shall have the same meaning as in the County Court Rules 1936(b); and
- (b) “taxing officer” shall mean the registrar.

Modified application of the Rules of the Supreme Court

11.—(1) R.S.C. Order 62, rules 21(3), 22, 23 and 24, shall not apply to the taxation of costs of matrimonial proceedings.

(2) The scale of costs contained in Appendix 2 to R.S.C. Order 62 shall not apply to the taxation of costs of matrimonial proceedings and references to items and amounts in that scale made in R.S.C. Order 62, rule 32(2) and in paragraph 7 of Part VII of Appendix 2, shall be construed as references to items and amounts in the matrimonial scale.

(a) 1959 c. 22.

(b) S.R. & O. 1936/626.

Modified application of the county court rules

12.—(1) For the purposes of C.C.R. Order 47, rules 29 and 31, a witness or party who has attended the hearing of an ancillary application, or a party who has attended for medical examination under rule 30 of the principal rules, shall be treated as having attended the hearing of an action or matter.

(2) C.C.R. Order 47, rules 17, 19, 21(1), 23 and 29(2) shall apply to matrimonial proceedings in a divorce county court as they apply to an action or matter in which the costs are on scale 2, 3 or 4.

County court proceedings in divorce registry

13. Paragraphs 1 to 4 of Schedule 2 to the Act of 1974 and section 74(3) of the Solicitors Act 1974 shall apply to matrimonial proceedings in the divorce registry which are treated as pending in a divorce county court.

Savings

14. Where part of any matrimonial proceeding has taken place in the High Court, whether before or after the coming into operation of these Rules, nothing in these Rules or in section 76 of the County Courts Act 1959 shall authorise the costs of that part of the proceedings to be awarded or taxed on any of the county court scales.

Revocation

15. The following Rules are hereby revoked—

The Matrimonial Causes (Costs) Rules 1977(a) and

The Matrimonial Causes (Costs) (Amendments) Rules 1978(b).

Elwyn-Jones, C.

George Baker, P.

John Latey, J.

Irvon Sunderland

B. J. Wakley

W. D. S. Caird

J. L. Williams

Joseph Jackson

David Webster

L. J. J. Morgan

Hugh O'Neill

Dated 28th March 1979.

APPENDIX
MATRIMONIAL SCALE

RULE 6

PART I
PREPARATION OF DOCUMENTS

	Column 1	Column 2	Column 3
ITEM			
1. <i>Institution of proceedings:</i>			
Preparing, presenting or issuing, filing and service of any petition, originating summons or originating application, notice of originating motion or other document instituting proceedings	£4—£14	£2.25—£8.75	£7.25
2. <i>Interlocutory proceedings and proceedings in chambers:</i>			
Preparing, issuing, filing and service of any summons or application, or notice of application, or notice of motion (other than an originating motion), notice of interlocutory appeal or any writ or warrant of execution (including renewing)	£2—£14	£1.25—£3	
3. <i>Other documents:</i>			
Preparing (including where necessary filing, serving or delivering) any document not otherwise provided for, including:			
(a) Any document to obtain an order for substituted service or giving leave to serve out of the jurisdiction			
(b) Pleadings (other than pleadings instituting proceedings), particulars of pleadings, requests for such particulars, interrogatories, affidavits and lists of documents, notice to produce, admit or inspect documents, and amendments to any documents			

	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
ITEM			
(c) Any other affidavit			
(d) Any brief to counsel or case to counsel to advise in writing or in conference			
(e) Any instructions to counsel to settle any document, except where an allowance for the preparation of that document is recoverable under items 1, 2 or 3			
for first 5 A4 pages	£3 per page (or proportionately)	£1.50 per page (or proportionately)	
for each A4 page thereafter	£1 (or proportionately)	75p (or proportionately)	
<i>Note:</i> Items 1, 2 and 3 include engrossing and one copy for service. Any additional copies required are to be charged under item 4. Items 3(d) and (e) each include the copy for counsel.			
4. <i>Copy documents:</i>			
(a) Typed top copy			
A5 (quarto)	20p per page	20p per page	
A4 (foolscap)	35p per page	35p per page	
A3 (brief)	50p per page	50p per page	
(b) Photographic, printed and carbon copies			
A5 and A4	15p per page	15p per page	
A3	30p per page	30p per page	

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PART II
COUNSEL'S FEES

ITEM	Column 1	Column 2	Column 3
5. <i>Counsel's fees in connection with proceedings in a divorce county court:</i>			
(a) With brief on trial of cause or matter or on hearing of ancillary application... .. With brief on trial of cause or matter	—	£5.50—£30	£11
(b) For each day or part of day on which trial of cause or matter or hearing of ancillary application is continued after the first day ...	—	£3—£15 £3—£8	
(c) With any other brief (including a brief on a children appointment) ...	—	£4.50	
(d) Where there is no local Bar in the court town or within 25 miles thereof, if in the opinion of the registrar the maximum fee allowable with the brief is insufficient, a further fee may be allowed, not exceeding for each day on which the trial or hearing takes place ...	—	£2.75 £4	
(e) On conference in chambers or elsewhere for each half hour or part thereof and for leading counsel for each half hour or part thereof	—	£3—£8	£5 £3.75
(f) For settling any document For settling a petition	—	£3—£8	
(g) For advising in writing	—	£3—£8	

Note: 1. Fees to counsel are not to be allowed unless the payment of them is vouched by the signature of counsel.

Note: 2. For the purpose of item 5(d) there shall be deemed to be a local Bar only in such places as may from time to time be specified in a certificate of the General Council of the Bar published in their Annual Statement. Item 5(d) is not to be allowed in any court within 25 miles of Charing Cross.

PART III
ATTENDANCES

ITEM	Column 1	Column 2	Column 3
6. <i>Interlocutory attendances:</i> Attending the hearing of any summons or other application (including attending for directions only) at court or in chambers or elsewhere, attending to obtain appointment to examine witnesses and attending on such appointment.			
(a) Without counsel	£2—£17	£1—£9	
(b) With counsel	£1—£4.50		
<i>Note:</i> A children appointment is to be treated as an application to which this item applies.			
7. <i>Counsel:</i> Attending counsel in conference including attending to appoint the conference for each half hour or part thereof	£4	£2	
8. <i>Trial or hearing:</i> Attending the trial or hearing of a cause or matter or the hearing of an ancillary application, or an appeal from an interlocutory or final order or judgment, or to hear a deferred judgment			
(a) Without counsel per day or part of a day	£5—£21	£1—£20	
(b) With counsel per day or part of a day		£1—£4.50	
Attending the trial or hearing of a cause or matter			
(a) Without counsel per day or part of a day			£13.25
(b) With counsel per day or part of a day			£4.50
9. <i>Accountant General:</i> Attendances at his office or at the Bank of England for any necessary purpose, including the preparation of any relevant document or certificate	Discretionary	—	—

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PART IV
PREPARATION FOR TRIAL

ITEM	Column 1	Column 2	Column 3
10. (a) <i>Instructions for trial or hearing</i> of any cause or matter, whatever the mode of trial or hearing, or for the hearing of any appeal ...	Discretionary	Such sum as is fair and reasonable in all the circumstances not exceeding £57.25 Discretionary	Special procedure cases, £47.25; other cases, £53
(b) <i>Instructions for hearing</i> of an ancillary application	Discretionary		
<p><i>Note to item 10.</i> This item is intended to cover:—</p> <p>(a) The doing of any work not otherwise provided for and which was properly done in preparing for a trial, hearing, appeal or ancillary application, or before a settlement of the matters in dispute, including—</p> <p>(i) <i>The client</i>: taking instructions to sue, defend, counter-claim, appeal or oppose etc; attending upon and corresponding with client;</p> <p>(ii) <i>Witnesses</i>: interviewing and corresponding with witnesses and potential witnesses, taking and preparing proofs of evidence and, where appropriate, arranging attendance at Court, including issue of subpoena or witness summons;</p> <p>(iii) <i>Expert evidence</i>: obtaining and considering reports or advice from experts and plans, photographs and models; where appropriate arranging their attendance at Court, including issue of subpoena or witness summons;</p> <p>(iv) <i>Inspections</i>: inspecting any property or place material to the proceedings;</p> <p>(v) <i>Searches and inquiries</i>: making searches in the Public Record Office and elsewhere for relevant documents; searches in the Companies Registry and similar matters;</p>			

	Column 1	Column 2	Column 3
<p>ITEM</p> <p>(vi) <i>Other parties</i>: attending upon and corresponding with other parties or their solicitors;</p> <p>(vii) <i>Discovery</i>: perusing, considering or collating documents for affidavit or list of documents; attending to inspect or produce for inspection any documents required to be produced or inspected by order of the court or otherwise;</p> <p>(viii) <i>Documents</i>: consideration of pleadings, affidavits, cases and instructions to and advice from counsel, any law involved and any other relevant documents, including collating;</p> <p>(ix) <i>Negotiations</i>: work done in connection with negotiations with a view to settlement;</p> <p>(x) <i>Agency</i>: correspondence with and attendance upon or other work done by London or other agents;</p> <p>(xi) <i>Notices</i>: preparation and service of miscellaneous notices, including notices to witnesses to attend court.</p> <p>(b) The general care and conduct of the proceedings.</p> <p><i>Note</i>: The sums sought under each sub-paragraph (i) to (xi) of paragraph (a) should be shown separately against each item followed by the total of all items under paragraph (a); the sum charged under paragraph (b) should be shown separately; and the total of the items under (a) and (b) should then follow.</p>			

PART V

TAXATION OF COSTS

<p>11. (a) <i>Taxation</i>: Preparing bill of costs and copies and attending to lodge; attending taxation; vouching and completing bill; paying taxing fee and lodging for certificate or order</p>	Discretionary	Discretionary	
<p>(b) <i>Review</i>: Preparing and delivering objections to decision of taxing officer on taxation, or answers to objections, including copies for service and lodging, considering opponent's answers or objections, as the case may be, attending hearing of review</p>	Discretionary	Discretionary	

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EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules introduced a new composite scale (“the matrimonial scale”) for the taxation of costs of matrimonial proceedings in the High Court in a divorce county court or in both. So far as proceedings in the High Court are concerned, the new scale follows the scale in Appendix 2 to R.S.C. Order 62 reasonably closely. So far as proceedings in a divorce county court are concerned, the new scale replaces the divorce scale (made applicable to such proceedings by S.I. 1977/345) with a simpler set of provisions, modelled on the scale in Appendix 2 to R.S.C. Order 62. In addition, the Rules re-enact, with slight modifications, the other provisions in S.I. 1977/345 affecting costs in connection with matrimonial proceedings in a divorce county court.

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