
 STATUTORY INSTRUMENTS

1985 No. 574 (L. 6)

COUNTY COURTS

The County Court Fees (Amendment) Order 1985

<i>Made - - - -</i>	<i>3rd April 1985</i>
<i>Laid before Parliament</i>	<i>16th April 1985</i>
<i>Coming into Operation—</i>	
<i>All provisions except</i>	
<i>Article 4</i>	<i>7th May 1985</i>
<i>Article 4</i>	<i>1st September 1985</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 128 of the County Courts Act 1984 (a) and section 365(3) of the Companies Act 1948 (b), with the concurrence of the Treasury, hereby makes the following Order:—

1.—(1) This Order may be cited as the County Court Fees (Amendment) Order 1985 and shall come into operation on 7th May 1985, except for Article 4, which shall come into operation on 1st September 1985.

(2) The County Court Fees Order 1982 (c) shall be amended in accordance with the following provisions of this Order and in those provisions a fee or column referred to by number means the fee or column so numbered in Schedule 1 to the said Order of 1982.

2. In Fee 1(i), for the following entries in columns 1 and 2—

Column 1 (No and description of fee)	Column 2 (Amount of fee)
Exceeds £500 but does not exceed £2,000	£38
Exceeds £2,000, or is not limited to a particular amount	£40

there shall be substituted the following—

Column 1 (No and description of fee)	Column 2 (Amount of fee)
Exceeds £500, or is not limited to a particular amount	£40

(a) 1984 c.28.

(b) 1948 c.38.

(c) S.I. 1982/1706, amended by S.I. 1983/1681.

3.—(1) In Fee 1(ii), after the words “remedy or relief” in column 1 (No and description of fee), there shall be inserted the words “(other than an order freeing a child for adoption or an adoption order)”, and for “£20” in column 2 (Amount of fee) there shall be substituted “£30”.

(2) After Fee 1(ii) there shall be inserted, in column 1, the words “(iii) On filing an originating application to free a child for adoption or for an adoption order” and, in column 2, “£25”.

4. After Fee 2 there shall be inserted the following—

Column 1 (No and description of fee)	Column 2 (Amount of fee)	Column 3 (Method of charging fee)
2A APPEALS ETC		
(i) On giving notice of an appeal to the judge	£10	
(ii) On an application to the judge to set aside the award of an arbitrator	£10	

5. In column 2

- (a) in Fee 3(ii), for “£2”, there shall be substituted “£10”;
- (b) in Fee 4(ii), for “£6”, there shall be substituted “£12”;
- (c) in Fee 4(iii), for “£10”, there shall be substituted “£12”;
- (d) in Fee 4(v), for “£5”, there shall be substituted “£12”;
- (e) in Fee 4(vi), for “£10”, there shall be substituted “£12”;
- (f) in Fee 4(vii), for “£20”, there shall be substituted “£30”;
- (g) in Fee 4(viii), there shall be inserted a comma after “creditors”.

6.—(1) In Article 2 of the County Court Fees Order 1982—

- (a) for “the County Courts Act 1959”(a), there shall be substituted “the County Courts Act 1984”;
- (b) for “section 102 of the Act”, there shall be substituted “section 75 of the Act”.

(2) In column 1—

- (a) in Fee 4(viii), for “section 148 of the Act”, there shall be substituted “section 112 of the Act”;
- (b) in Fee 5(ii), for “section 132 of the Act”, there shall be substituted “section 97 of the Act”.

(3) In column 3 (method of charging fee), in Fee 3(ii), for “section 93 of the Act”, there shall be substituted “section 70 of the Act”.

(a) 1959 c.22.

(4) In paragraph 5 of Schedule 1, for “the hire-purchase price”, there shall be substituted “the total price”.

Dated 2nd April 1985

Hailsham of St. Marylebone, C.

Dated 3rd April 1985

*John Major,
Donald Thompson,
Two of the Lords Commissioners
of Her Majesty’s Treasury.*

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the County Court Fees Order 1982, as amended, so as to—

- (a) introduce a single fee payable on entering a plaint for the recovery of a sum of money or goods where the sum claimed or the value of the goods exceeds £500 (Article 2);
- (b) increase the fee payable on the issue of all other proceedings, but with a smaller increase on an application for an adoption order (Article 3);
- (c) introduce new fees payable on an appeal to a judge and on an application to the judge to set aside the award of an arbitrator (Article 4);
- (d) increase the fee for a review of taxation by a judge (Article 5(a));
- (e) introduce a standard fee in respect of certain enforcement procedures and increase the maximum fee payable on an application for an attachment of earnings order (Article 5(b) to (g));
- (f) substitute references to the County Courts Act 1984 for references to the County Courts Act 1959, and make a minor amendment relating to hire-purchase agreements (Article 6).

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