
STATUTORY INSTRUMENTS

1999 No. 689 (L. 6)

COUNTY COURTS

The County Court Fees Order 1999

<i>Made</i>	- - - -	<i>8th March 1999</i>
<i>Laid before Parliament</i>		<i>11th March 1999</i>
<i>Coming into force</i>	- -	<i>26th April 1999</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 128 of the County Courts Act 1984⁽¹⁾, sections 414 and 415 of the Insolvency Act 1986⁽²⁾ and section 128 of the Finance Act 1990⁽³⁾, with the concurrence of the Treasury under section 128(1) of the County Courts Act 1984, and with the sanction of the Treasury under sections 414(1) and 415(1) of the Insolvency Act 1986, makes the following Order:

Citation and commencement

1. This Order may be cited as the County Court Fees Order 1999 and shall come into force on 26th April 1999.

Interpretation

2. In this Order, unless the context otherwise requires—
- (a) a fee referred to by number means the fee so numbered in Schedule 1 to this Order;
 - (b) “CCBC” means County Court Bulk Centre;
 - (c) “the CPR” means the Civil Procedure Rules 1998⁽⁴⁾;
 - (d) expressions also used in the CPR have the same meaning as in those Rules; and
 - (e) “CPC” means Claim Production Centre.

Fees to be taken

3. The fees set out in column 2 of Schedule 1 to this Order shall be taken in county courts in respect of the items described in column 1 in accordance with and subject to the directions specified in column 1.

(1) 1984 c. 28.
(2) 1986 c. 45.
(3) 1990 c. 29.
(4) S.I. 1998/3132.

4. The provisions of this Order shall not apply to family proceedings.

Exemptions, reductions and remissions

5.—(1) No fee shall be payable under this Order by a party who, at the time when a fee would otherwise become payable—

- (a) is in receipt of any qualifying benefit, and
- (b) is not in receipt of representation under Part IV of the Legal Aid Act 1988⁽⁵⁾ for the purposes of the proceedings.

(2) The following are qualifying benefits for the purposes of paragraph (1)(a) above—

- (a) income support;
- (b) family credit and disability working allowance under Part VII of the Social Security Contributions and Benefits Act 1992⁽⁶⁾; and
- (c) income-based jobseeker’s allowance under the Jobseekers Act 1995⁽⁷⁾.

(3) Paragraph (1) shall not apply to fee 4.8 (fee payable on a consolidated attachment of earnings order or an administration order).

6. Where it appears to the Lord Chancellor that the payment of any fee prescribed by this Order would, owing to the exceptional circumstances of the particular case, involve undue financial hardship, he may reduce or remit the fee in that case.

7. 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.

Revocations

8. The Orders specified in Schedule 2 shall be revoked, except as to any fee or other sum due or payable under those Orders before the commencement of this Order.

Dated 5th March 1999

Irvine of Lairg, C.

We concur,

*Clive J.C. Betts
Bob Ainsworth*

Two of the Lords Commissioners of Her Majesty’s Treasury

Dated 8th March 1999

(5) 1988 c. 34.
(6) 1992 c. 4.
(7) 1995 c. 18.

Schedule 1

Fees to be taken

<i>Column 1</i> Number & description of fee	<i>Column 2</i> Amount of fee
1 Commencement of proceedings	(a) (a) does not exceed £200£20
1	(b) exceeds £200 but not £300£30
1.1 On the commencement of originating proceedings (including originating proceedings issued after leave to issue is granted) to recover a sum of money, except in CPC cases, where the sum claimed:	(c) exceeds £300 but not £400£40
	(d) exceeds £400 but not £500£50
	(e) exceeds £500 but not £1,000£70
	(f) exceeds £1,000 but not £5,000 £100
	(g) exceeds £5,000 but not £15,000 £200
	(h) exceeds £15,000 but not £50,000 £300
	(i) exceeds £50,000 or not limited £400
1.2 On the commencement of originating proceedings to recover a sum of money in CPC cases, where the sum claimed:	(a) (a) does not exceed £200£15
	(b) exceeds £200 but not £300£25
	(c) exceeds £300 but not £400£35
	(d) exceeds £400 but not £500£45
	(e) exceeds £500 but not £1,000£65
	(f) exceeds £1,000 but not £5,000 £95
	(g) exceeds £5,000 but not £15,000 £195
	(h) exceeds £15,000 but not £50,000 £295
	(i) exceeds £50,000 or not limited £395

1.3 On the commencement of originating proceedings for any other remedy or relief (including originating proceedings issued after leave to issue is granted) £120

Fees 1.1 and 1.3 Recovery of land or goods

Where a claim for money is additional or alternative to a claim for recovery of land or goods, only fee 1.3 shall be payable.

Fees 1.1 and 1.3 Claims other than recovery of land or goods

Where a claim for money is additional to a non money claim (other than a claim for recovery of land or goods) then fee 1.1 shall be payable in addition to fee 1.3. Where a claim for money is alternative to a non money claim (other than a claim for recovery of land or goods) then fee 1.1 or fee 1.3 shall be payable, whichever is the greater.

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<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee
<i>Fees 1.1 and 1.3 Generally</i>	
Where more than one non money claim is made in the same proceedings, fee 1.3 shall be payable once only, in addition to any fee which may be payable under fee 1.1.	
Fees 1.1 and 1.3 shall not be payable where fee 1.6(b) or fee 8 apply.	
<i>Fees 1.1 and 1.3 Amendment of claim or counterclaim</i>	
Where the claim or counterclaim is amended, and the fee paid before amendment is less than that which would have been payable if the document, as amended, had been so drawn in the first instance, the party amending the document shall pay the difference.	
1.4 On the filing of proceedings against a party or parties not named in the originating proceedings	£30
Fee 1.4 shall be payable by a defendant who adds or substitutes a party or parties to the proceedings or by a claimant who adds or substitutes a defendant or defendants.	
1.5 On the filing of a counterclaim	The same fee as if the relief or remedy sought were the subject of separate proceedings
(a) (a) On an application for leave to issue originating proceedings	£30
(b) (b) On an application for an order under Part III of the Solicitors Act 1974 ⁽⁸⁾ for the assessment of costs payable to a solicitor by his client	£30
2 General Fees	£80
2	
2.1 On the claimant filing an allocation questionnaire; or	
<ul style="list-style-type: none"> • where the court dispenses with the need for an allocation questionnaire, within 14 days of the date of despatch of the notice of allocation to track; or • where the CPR or a Practice Direction provide for automatic allocation or provide that the rules on allocation 	

(8) 1974 c. 47.

<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee
<p>shall not apply, within 28 days of the filing of the defence (or the filing of the last defence if there is more than one defendant), or within 28 days of the expiry of the time permitted for filing all defences if sooner</p> <p>Fee 2.1 shall be payable by the claimant except where the action is proceeding on the counterclaim alone, when it shall be payable by the defendant—</p> <ul style="list-style-type: none"> • on the defendant filing an allocation questionnaire; or • where the court dispenses with the need for an allocation questionnaire, within 14 days of the date of despatch of the notice of allocation to track; or • where the CPR or a Practice Direction provide for automatic allocation or provide that the rules on allocation shall not apply, within 28 days of the filing of the defence to the counterclaim (or the filing of the last defence to the counterclaim if there is more than one party entitled to file a defence to a counterclaim), or within 28 days of the expiry of the time permitted for filing all defences to the counterclaim if sooner <p>2.2 On the claimant filing a listing questionnaire; or</p> <ul style="list-style-type: none"> • where the court fixes the trial date or trial week without the need for a listing questionnaire, within 14 days of the date of despatch of the notice (or the date when oral notice is given if no written notice is given) of the trial week or the trial date if no trial week is fixed <p>(a) (a) if the case is on the multi-track £300</p> <p>(b) (b) in any other case £200</p>	

Fee 2.2 shall be payable by the claimant except where the action is proceeding on the counterclaim alone, when it shall be payable by the defendant—

- on the defendant filing a listing questionnaire; or
- where the court fixes the trial date or trial week without the need for a listing questionnaire, within 14 days of the date of despatch of the notice (or the date

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<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee

when oral notice is given if no written notice is given) of the trial week or the trial date if no trial week is fixed:

Where the court receives notice in writing—

- before the trial date has been fixed or,
- where a trial date has been fixed, at least 7 days before the trial date, from the party who paid fee 2.2 that the case is settled or discontinued, fee 2.2 shall be refunded.

Fees 2.1 and 2.2 Generally

Fees 2.1 and 2.2 shall be payable once only in the same proceedings.

Fees 2.1 and 2.2 shall be payable as appropriate where the court allocates a case to a track for a trial of the assessment of damages.

Fee 2.1 shall not be payable where the procedure in Part 8 of the CPR is used.

Fee 2.2 shall not be payable in respect of a small claims hearing.

2.3 On filing notice of appeal including an appeal against an allocation decision where no other fee is specified £100

2.4 On an application on notice other than an application to fix the rate of payment before judgment where no other fee is specified £50

2.5 On an application by consent or without notice for a judgment or order where no other fee is specified £25

For the purpose of fee 2.5 a request for a judgment or order on admission or in default shall not constitute an application and no fee shall be payable.

2.6 On an application for a summons or order for a witness to attend court to be examined on oath, other than an application for which fee 4.3 is payable £30

2.7 On an application to vary a judgment or suspend enforcement (where more than one remedy is sought in the same application only one fee shall be payable) £25

3 Determination of costs

<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee

Transitional provision

Where a bill of costs or a request for detailed assessment or a request for a detailed assessment hearing is filed pursuant to an order made by the court before the coming into operation of this Order, or an application is made to the judge to review a taxation made before the coming into operation of this Order, the fees payable shall be those which applied immediately before this Order came into force.

3.1 On the filing of a request for detailed assessment where the party filing the request is legally aided and no other party is ordered to pay the costs of the proceedings £80

3.2 On the filing of a request for a detailed assessment hearing in any case where fee 3.1 does not apply; or on the filing of a request for a hearing date for the assessment of costs payable to a solicitor by his client pursuant to an order under Part III of the Solicitors Act 1974(9) £120

Where there is a combined party and party and legal aid determination of costs, fee 3.2 shall be attributed proportionately to the party and party and legal aid portions of the bill on the basis of the amount allowed.

3.3 On an application for the issue of a default costs certificate £40

3.4 On an appeal against a decision made in detailed assessment proceedings or on an application to set aside a default costs certificate £50

3.5 On applying for the court's approval of a Legal Aid Assessment Certificate £20

Fee 3.5 is payable at the time of applying for approval and is recoverable only against the Legal Aid Fund.

4 Enforcement

4

4.1 On an application for or in relation to enforcement of a judgment or order of a county court or through a county court:

(9) 1974 c. 47.

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<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee
in cases other than CCBC cases, by the issue of a warrant of execution against goods except a warrant to enforce payment of a fine;	(a) (a) Where the amount for which the warrant issues does not exceed £125dotfill;£25
	(b) Where the amount for which the warrant issues exceeds £125£45
in CCBC cases, by the issue of a warrant of execution against goods except a warrant to enforce payment of a fine	(c) (c) Where the amount for which the warrant issues does not exceed £125£20
	(d) Where the amount for which the warrant issues exceeds £125£40
4.2 On a request for a further attempt at execution of a warrant at a new address following a notice of the reason for non-execution (except a further attempt following suspension and CCBC cases)	£20
4.3 On an application to question a judgment debtor or other person on oath in connection with enforcement of a judgment	£40
4.4 On an application for a garnishee order nisi or a charging order nisi, or the appointment of a receiver by way of equitable execution	£50
Fee 4.4 shall be payable in respect of each party against whom the order is sought.	
4.5 On an application for a judgment summons	£80
4.6 On the issue of a warrant of possession or a warrant of delivery	£80
Where the recovery of a sum of money is sought in addition, no further fee is payable.	
4.7 On an application for an attachment of earnings order (other than a consolidated attachment of earnings order) to secure payment of a judgment debt	£50
Fee 4.7 is payable for each defendant against whom an order is sought. Fee 4.7 is not payable where the attachment of earnings order is made on the hearing of a judgment summons.	
4.8 On a consolidated attachment of earnings order or on an administration order	for every £1 or part of a £1 of the money paid into court in respect of debts due to creditors 10p
Fee 4.8 shall be calculated on any money paid into court under any order at the rate in force at the time when the order was made (or, where	

<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee
the order has been amended, at the time of the last amendment before the date of payment).	
4.9 On the application for the recovery of a tribunal award	£30
4.10 On a request for an order to recover an increased penalty charge provided for in a parking charge certificate issued under paragraph 6 of Schedule 6 to the Road Traffic Act 1991 ⁽¹⁰⁾ or on a request for an order to recover amounts payable by a person other than a London authority under an adjudication of a parking adjudicator pursuant to section 73 of the Road Traffic Act 1991;	£5
on a request to issue a warrant of execution to enforce such an order	
Fee 4.10 is payable on a request for an order but no further fee is payable on a request to issue a warrant of execution.	
5 Sale	The reasonable expenses incurred
5	
5.1 For removing or taking steps to remove goods to a place of deposit	
Fee 5.1 is to include the reasonable expenses of feeding and caring for any animals.	
5.2 For advertising a sale by public auction pursuant to section 97 of the County Courts Act 1984 ⁽¹¹⁾	The reasonable expenses incurred
5.3 For the appraisalment of goods	5p in the £1 or part of a £1 of the appraised value
5.4 For the sale of goods (including advertisements, catalogues, sale and commission and delivery of goods)	15p in the £1 or part of a £1 on the amount realised by the sale or such other sum as the district judge may consider to be justified in the circumstances
5.5 Where no sale takes place by reason of an execution being withdrawn, satisfied or stopped	(a) (a) 10p in the £1 or part of a £1 on the value of the goods seized, the value to be the appraised value where the goods have been appraised or such other sum as the district judge may consider to be justified in the circumstances; and in addition

⁽¹⁰⁾ 1991 c. 40.

⁽¹¹⁾ 1984 c. 28.

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<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee
	(b) any sum payable under fee 5.1, 5.2 or 5.3
6 Copy documents	£1
6	
6.1 On a request for a copy of any document (including a faxed copy where requested) or for examining a plain copy and marking it as an office copy;	
(a) per page for the first five pages of each document	
(b) (b) per page for subsequent pages	25p
Fee 6.1 is payable whether or not the copy is issued as an office copy.	
6.2 Where copies of any document are made available on a computer disk or in other electronic form, for each such copy	£3
7 Registry of County Court Judgments	£10
7	
7.1 On a request for the issue of a certificate of satisfaction	
8 Companies Act 1985(12) and Insolvency Act 1986(13)	£120
8	
8.1 On entering a bankruptcy petition:	
(a) if presented by a debtor or the personal representative of a deceased debtor	
(b) (b) if presented by a creditor or other person	£150
8.2 On entering a petition for an administration order	£100
8.3 On entering any other petition	£150
One fee only is payable where more than one petition is presented in relation to a partnership.	
(a) (a) On a request for a certificate of discharge from bankruptcy	£50
(b) (b) and after the first certificate, for each copy	£1

(12) 1985 c. 6.
(13) 1986 c. 45.

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<i>Column 1</i>	<i>Column 2</i>
Number & description of fee	Amount of fee
<i>Requests and applications with no fee</i>	
No fee is payable on a request or on an application to the court by the Official Receiver when applying only in the capacity of Official Receiver to the case (and not as trustee or liquidator), or on an application to set aside a statutory demand.	

Schedule 2

Orders revoked

<i>Title</i>	<i>Reference</i>
The County Court Fees Order 1982	S.I. 1982/1706
The County Court Fees (Amendment) Order 1983	S.I. 1983/1681
The County Court Fees (Amendment) Order 1985	S.I. 1985/574
The County Court Fees (Amendment No. 2) Order 1985	S.I. 1985/1834
The County Court Fees (Amendment) Order 1986	S.I. 1986/633
The County Court Fees (Amendment No. 2) Order 1986	S.I. 1986/2143
The County Court Fees (Amendment) Order 1988	S.I. 1988/509
The County Court Fees (Amendment) Order 1992	S.I. 1992/2762
The County Court Fees (Amendment) Order 1994	S.I. 1994/1936
The County Court Fees (Amendment) Order 1995	S.I. 1995/2627
The County Court Fees (Amendment) Order 1996	S.I. 1996/3189
The County Court Fees (Amendment) Order 1997	S.I. 1997/787
The County Court Fees (Amendment) (No. 2) Order 1997	S.I. 1997/2670

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the County Court Fees Order 1982 and replaces it by specifying new fees for proceedings in county courts following the introduction of the new Civil Procedure Rules 1998 which come into force on the same date as this Order.

In particular, the fee structure specified in this Order specifies fees payable at the two new stages of allocation and listing introduced by the Civil Procedure Rules. Where there are procedures similar to previous procedures, the fees have in most cases been increased.

The table of comparison below shows the comparison between the old fees and the new fees. The table also shows where new fees have been introduced.

Table of Comparison

<i>Number and summary of new fee (for full description see Schedule 1)</i>	<i>Amount of new fee (for full details see Schedule 1)</i>	<i>Amount of old fee</i>	<i>Number of old fee</i>
1 Commencement of proceedings			1(i) & 1(ii)
1			
1.1 & 1.2. Money claim			
(a) not exceeding £200	£20 (£15 CPC)	£10–20 (£10–£15 CPC)	
(b) exceeds £200 but not £300	£30 (£25 CPC)	£30 (£25 CPC)	
(c) exceeds £300 but not £400	£40 (£35 CPC)	£40 (£35 CPC)	
(d) exceeds £400 but not £500	£50 (£45 CPC)	£50 (£45 CPC)	
(e) exceeds £500 but not £1,000	£70 (£65 CPC)	£60 (£55 CPC)	
(f) exceeds £1,000 but not £5,000	£100 (£95 CPC)	£80 (£65 CPC)	
(g) exceeds £5,000 but not £15,000	£200 (£195 CPC)	£100–£150 (£75 CPC)	
(h) exceeds £15,000 but not £50,000	£300 (£295 CPC)	£150 (£75 CPC)	
(i) exceeds £50,000 or not limited	£400 (£395 CPC)	£300–£500 (£75 CPC)	

<i>Number and summary of new fee (for full description see Schedule 1)</i>	<i>Amount of new fee (for full details see Schedule 1)</i>	<i>Amount of old fee</i>	<i>Number of old fee</i>
1.3 Non money claim	£120	£80	1(iii)
1.4 Filing proceedings against new party	£30	New fee	New fee
1.5 Filing counterclaim	Same fee as originating proceedings	Same fee as originating proceedings	1(i)(ii); para 3, schedule 1
(a) (a) Leave to issue originating proceedings	£30	New fee	New fee
(b) Application for order for assessment of costs under Solicitors Act	£30	New fee	New fee
2 General	£80	New fee	New fee
2			
2.1 On allocation			
(a) (a) On listing (multi-track)	£300	New fee	New fee
(b) (b) On listing (other)	£200	New fee	New fee
2.3 Appeal	£100	£20–£50	2B(i)(ii)
2.4 Application on notice	£50	£10–£30	2C(iii)(v)(vi)
2.5 Application for order, no notice given	£25	£10	2C(iv)
2.6 Witness summons	£30	£20	2C(i)
2.7 Application to suspend, or vary judgment or order	£25	£10	2C(ii); 4(ix)

3 Determination of costs

3

Old fees apply where documents filed

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<i>Number and summary of new fee (for full description see Schedule 1)</i>	<i>Amount of new fee (for full details see Schedule 1)</i>	<i>Amount of old fee</i>	<i>Number of old fee</i>
pursuant to a court order, or application made for review of taxation, made before this Order came into force.			
3.1 Filing request for a detailed assessment—legal aid only cases	£80	No specific fee	No specific fee
3.2 Filing request for detailed assessment in any other case/request for hearing date for assessment pursuant to order under Part III of the Solicitors Act 1974	£120	scale fees (estimated average £300)	3(i)(ii)
3.3 Application for issue of the default costs certificate	£40	New fee	New fee
3.4 Appeal or application to set aside default costs certificate	£50	£50	3(iii)
3.5 Applying for court's approval of Legal Aid Assessment Certificate	£20	New fee	New fee
4 Enforcement	£25 (£20 CCBC)	£20 (£15 CCBC)	4(i)(a)(b)
4			
(a)(c) (a) (c) Execution up to £125			
(b)(d) (b) (d) Execution over £125	£45 (£40 CCBC)	£40 (£35 CCBC)	
4.2 Further attempt at execution of warrant (not CCBC)	£20	£20	4(i)(c)
4.3 Oral examination	£40	£30	4(ii)
4.4 Garnishee order, or charging	£50	£50	4(iii)(v)

<i>Number and summary of new fee (for full description see Schedule 1)</i>	<i>Amount of new fee (for full details see Schedule 1)</i>	<i>Amount of old fee</i>	<i>Number of old fee</i>
order, appointment of receiver			
4.5 Judgment summons	£80	£50	4(vi)
4.6 Warrant of possession or delivery	£80	£80	4(iv)
4.7 Attachment of earnings application	£50	£50	4(vii)
4.8 Consolidated attachment of earnings order/administration order	10p in the £	10p in the £	4(viii)
4.9 Recovery of a tribunal award	£30	£30	4(A)i
4.10 Parking penalty charge warrant	£5	£5	4(A)ii
5 Sale	reasonable expenses	reasonable expenses	5(i)
5			
5.1 Taking steps to remove goods			
5.2 For advertising a sale by public auction	reasonable expenses	reasonable expenses	5(ii)
5.3 For the appraisalment of goods	5p in the £	5p in the £	5(iii)
5.4 For the sale of goods	15p in the £	15p in the £	5(iv)
5.5 Stop sale fee	10p in the £ and fees 5.1, 5.2 or 5.3	10p in the £ and fees 5.1, 5.2 or 5.3	5(v)
6 Copy documents	£1	£1	6(a)
6			
(a) (a) Copy per page for the first five pages			
(b) (b) Copy per page for subsequent pages	25p	25p	6(b)
6.2 Electronic copy	£3	New fee	New fee

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<i>Number and summary of new fee (for full description see Schedule 1)</i>	<i>Amount of new fee (for full details see Schedule 1)</i>	<i>Amount of old fee</i>	<i>Number of old fee</i>
7 Registry of County Court Judgments	£10	£3	7
7			
7.1 Certificate of satisfaction			
8 Companies and Insolvency Acts	£120	£50	9(i)(a)
8			
8.1 On entering a bankruptcy petition:			
(a) by debtor/ personal representative of deceased debtor			
(b) if presented by a creditor or other person	£150	£80	9(i)(b)
8.2 Petition for an administration order	£100	£80	9(ii)
8.3 Any other petition	£150	£80	9(ii)
(a) (a) Request for a certificate of discharge	£50	New fee	New fee
(b) (b) and after the first, for each copy	£1	New fee	New fee