

2001 No. 1385 (L. 20)

COUNTY COURTS, ENGLAND AND WALES

The County Court Fees (Amendment) Order 2001

<i>Made</i> - - - -	<i>4th April 2001</i>
<i>Laid before Parliament</i>	<i>6th April 2001</i>
<i>Coming into force</i>	<i>1st June 2001</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 128 of the County Courts Act 1984(a), with the concurrence of the Treasury under section 128(1) of the County Courts Act 1984, makes the following Order:

Citation and commencement

1. This Order may be cited as the County Court Fees (Amendment) Order 2001 and shall come into force on 1st June 2001.

Interpretation

2. In this Order—

- (a) “the 1999 Fees Order” means the County Court Fees Order 1999(b);
- (b) a fee or column referred to by number means the fee or column so numbered in Schedule 1 to the 1999 Fees Order.

Amendments to the 1999 Fees Order

3. For columns 1 and 2 in fee 4.10 (including the note beginning with the words “Fee 4.10 is payable” and ending with the words “warrant of execution.”), there shall be substituted—

(a) 1984 c.28.

(b) S.I. 1999/689; amended by S.I. 1999/2548; S.I. 2000/639; 939; 1546 and 2310.

<i>Column 1</i> Number and description of fee	<i>Column 2</i> Amount of fee
<p>4.10 On a request for an order to recover—</p> <ul style="list-style-type: none"> ● an increased penalty charge provided for in a charge certificate issued under paragraph 6 of Schedule 6 to the Road Traffic Act 1991(a) or paragraph 8 of Schedule 1 to the London Local Authorities Act 1996(b); or ● amounts payable by a person other than a local authority under an adjudication of a parking adjudicator pursuant to section 73 of the Road Traffic Act 1991(c); or ● a fixed penalty payable under a fixed penalty notice issued under regulation 5 of the Road Traffic (Vehicle Emissions) (Fixed Penalty) Regulations 1997(d). <p>No fee is payable on a request to issue a warrant of execution to enforce any such order.</p>	£5

Dated 30th March 2001

Irvine of Lairg, C.

We concur,

Clive Betts

Greg Pope

Two of the Lords Commissioners of
Her Majesty's Treasury

Dated 4th April 2001

(a) 1991 c.40.

(b) 1996 c.ix; paragraph 8 was amended by paragraph 7 of Schedule 2 to the London Local Authorities Act 2000 (c.vii) and Schedule 1 is repealed by Schedule 31 to the Transport Act 2000 (c.38) on such day as the Secretary of State may by order provide.

(c) Section 73 has been amended, and part has been repealed, by the Greater London Authority Act 1999 (c.29), section 283 and Schedule 34, Part VI.

(d) S.I. 1997/3058.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the County Court Fees Order 1999 by substituting a new fee 4.10 (requests for orders to recover parking charges). The new fee 4.10 covers the same proceedings as the old fee 4.10 and the amount of the fee is unchanged. However, the new fee 4.10 also applies to requests for orders to recover—

- an increased penalty charge provided for in a charge certificate issued under paragraph 8 of Schedule 1 to the London Local Authorities Act 1996 (which deals with increased penalty charges for breach of provisions about bus lanes); and
- a fixed penalty payable under a fixed penalty notice issued under regulation 5 of the Road Traffic (Vehicle Emissions) (Fixed Penalty) Regulations 1997 (which deals with the issue of fixed penalty notices for contravention of regulations about vehicle emissions).

In addition, the reference to a London authority (in relation to adjudication by a parking adjudicator) is replaced by a reference to a local authority as the scheme under the Road Traffic Act 1991 for the enforcement of certain traffic debts through county courts has been extended to areas outside London.

2001 No. 1385 (L. 20)

COUNTY COURTS, ENGLAND AND WALES

The County Court Fees (Amendment) Order 2001

£1.75

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo,
Controller of Her Majesty's Stationery Office and Queen's Printer of
Acts of Parliament

E 0874 04/01 ON (MFK)