

2003 No. 645 (L. 12)

FAMILY PROCEEDINGS

SUPREME COURT OF ENGLAND AND WALES

COUNTY COURTS, ENGLAND AND WALES

The Family Proceedings Fees (Amendment) Order 2003

Made - - - - - 7th March 2003

Laid before Parliament 11th March 2003

Coming into force - - - 1st April 2003

The Lord Chancellor, in exercise of the powers conferred upon him by section 41 of the Matrimonial and Family Proceedings Act 1984(a) and section 415 of the Insolvency Act 1986(b), with the concurrence of the Treasury under section 41 of the Matrimonial and Family Proceedings Act 1984, and with the sanction of the Treasury under section 415(1) of the Insolvency Act 1986, makes the following Order.

Citation, commencement and interpretation

1. This Order may be cited as the Family Proceedings Fees (Amendment) Order 2003 and shall come into force on 1st April 2003.

2. In this Order a fee or column referred to by number means the fee or column so numbered in Schedule 1 to the Family Proceedings Fees Order 1999(c).

Amendments to the Family Proceedings Fees Order 1999

3. In column 2 of fee 1.1, for “£120”, substitute “£130”.
4. In column 2 of fee 1.2, for “£150”, substitute “£180”.
5. In column 2 of fee 1.3, for “£40”, substitute “£60”.
6. In column 2 of fees 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11 and 2.12, for “£80”, wherever it occurs, substitute “£90”.
7. In column 2 of fee 4.4, for “£80”, substitute “£120”.
8. In column 2 of fee 8.1, for “£80”, substitute “£100”.
9. In column 2 of fee 8.2, for “£130”, substitute “£160”.
10. For fee 8.4, substitute—

(a) 1984 c. 42.

(b) 1986 c. 45.

(c) S.I. 1999/690 amended by S.I. 1999/2549, S.I. 2000/640, S.I. 2000/938 and S.I. 2000/1545.

<i>“Column 1 Number and description of fee</i>	<i>Column 2 Amount of fee</i>
8.4 On an appeal against a decision made in detailed assessment proceedings	£100”.

11. In column 2 of fee 8.5, for “£20”, substitute “£30”.

12. After fee 8.5 insert—

<i>“Column 1 Number and description of fee</i>	<i>Column 2 Amount of fee</i>
8.6 On an application to set aside a default costs certificate	£60”.

13. In column 2 of fee 11.1, for “£10”, substitute “£20”.

14. In column 2 of fee 12.1(a), for “£25”, substitute “£30”.

15. In column 2 of fee 12.1(b), for “£45”, substitute “£50”.

16. In column 2 of fee 12.5, for “£80”, substitute “£90”.

17. In column 2 of fee 12.6, for “£80”, substitute “£90”.

18. In column 2 of fee 12.7, for “£50”, substitute “£60”.

19. In column 2 of fee 14.1, for “£20”, substitute “£30”.

20. In column 2 of fee 14.4, for “£80”, substitute “£90”.

Irvine of Lairg, C.

3rd March 2003

We concur,

*Jim Fitzpatrick
Nick Ainger*

7th March 2003

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Family Proceedings Fees Order 1999. The table below sets out where fees have been increased or new fees introduced. In addition fee 8.4 has been split into two fees (fee 8.4 and fee 8.6).

<i>Brief description of new fee</i>	<i>Old Fee No.</i>	<i>Curr Fee £</i>	<i>New Fee £</i>
1.1 Filing originating proceedings (general)	1.1	120	130
1.2 Issue of a divorce petition	1.2	150	180
1.3 Application for a non molestation order	1.3	40	60
2.1–2.12 Children Act Application	2.1–2.12	80	90
4.4 Ancillary Relief application	4.4	80	120
8.1 Request for detailed assessment where the party is legally aided or funded by LSC and no other party is ordered to pay the costs	8.1	80	100
8.2 Request for detailed assessment of costs	8.2	130	160
8.4 Detailed assessment appeal	8.4	50	100
8.5 Approval of a Costs Certificate	8.5	20	30
8.6 Application to set aside default costs certificate	8.4	50	60
11.1 Request for service by bailiff	11.1	10	20
12.1(a) Issue of warrant of execution up to £125	12.1(a)	25	30
12.1(b) Issue of warrant of execution over £125	12.1(b)	45	50
12.5 Issue of judgment summons	12.5	80	90
12.6 Issue of warrant of possession or delivery	12.6	80	90
12.7 Application for attachment of earnings order	12.7	50	60
14.1 Sealing writ of execution/possession/delivery (High Court)	14.1	20	30
14.4 Application for a Judgment Summons (High Court)	14.4	80	90

A Regulatory Impact Assessment of the costs and benefits of this Order (and other Orders relating to court fees) was placed in the Libraries of both Houses of Parliament, and is available on the Court Service's website at www.courtservice.gov.uk/using_courts/fees

STATUTORY INSTRUMENTS

2003 No. 645 (L. 12)**FAMILY PROCEEDINGS****SUPREME COURT OF ENGLAND AND WALES****COUNTY COURTS, ENGLAND AND WALES****The Family Proceedings Fees (Amendment) Order 2003**

£1.75

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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.
E0306 3/2003 130306 19585

ISBN 0-11-045260-7



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