
STATUTORY INSTRUMENTS

2014 No. 590

**The Courts and Tribunals Fees
(Miscellaneous Amendments) Order 2014**

Citation and commencement

1. This Order may be cited as the Courts and Tribunals Fees (Miscellaneous Amendments) Order 2014 and shall come into force on 6th April 2014.

Commencement Information

II Art. 1 in force at 6.4.2014, see [art. 1](#)

Amendments to the Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013

2.—(1) The Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013(1) is amended as follows

(2) In article 12 (fee group – failure to pay fee) for “struck out” substitute “dismissed”.

(3) For Table 2 (type A claims) in Schedule 2 (employment tribunals - issue and hearing fee) substitute the table in the Schedule to this Order.

(4) In paragraph 1(1) of Schedule 3 (remissions and part remissions) for the definition of “excluded benefits” substitute—

““excluded benefits” means any of the following—

- (a) any of the following benefits payable under the Social Security Contributions and Benefits Act 1992(2) or the corresponding provisions of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(3)—
 - (i) attendance allowance under section 64;
 - (ii) severe disablement allowance;
 - (iii) carer’s allowance;
 - (iv) disability living allowance;
 - (v) constant attendance allowance under section 104 as an increase to a disablement pension;
 - (vi) any payment made out of the social fund;
 - (vii) housing benefit;
 - (viii) widowed parents allowance;

(1) S.I. 2013/1893, amended by S.I. 2013/2302.

(2) 1992 c.4.

(3) 1992 c. 7 (N.I.).

- (b) any of the following benefit payable under the Tax Credits Act 2002**(4)**—
 - (i) any disabled child element or severely disabled child element of the child tax credit;
 - (ii) any childcare element of the working tax credit;
- (c) any direct payment made under the Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009**(5)**, the Community Care, Services for Carers and Children’s Services (Direct Payments) (Wales) Regulations 2011**(6)**, the Carers and Direct Payments Act (Northern Ireland) 2002**(7)**, or section 12B(1) of the Social Work (Scotland) Act 1968**(8)**;
- (d) a back to work bonus payable under section 26 of the Jobseekers Act 1995**(9)**, or article 28 of the Jobseekers (Northern Ireland) Order 1995**(10)**;
- (e) any exceptionally severe disablement allowance paid under the Personal Injuries (Civilians) Scheme 1983**(11)**;
- (f) any payments from the Industrial Injuries Disablement Benefit;
- (g) any pension paid under the Naval, Military and Air Forces etc. (Disablement and Death) Service Pension Order 2006**(12)**;
- (h) any payment made from the Independent Living Funds;
- (i) any payment made from the Bereavement Allowance;
- (j) any financial support paid under an agreement for the care of a foster child;
- (k) any housing credit element of pension credit;
- (l) any armed forces independence payment;
- (m) any personal independence payment payable under the Welfare Reform Act 2012**(13)**;
- (n) any payment on account of benefit as defined in the Social Security (Payments on Account of Benefit) Regulations 2013**(14)**;
- (o) any of the following amounts, as defined by the Universal Credit Regulations 2013**(15)**, that make up an award of universal credit—
 - (i) an additional amount to the child element in respect of a disabled child;
 - (ii) a housing costs element;
 - (iii) a childcare costs element;
 - (iv) a carer element;

(4) 2002 c.21; section 3(5A) was inserted by paragraph 144 of Schedule 24 to the Civil Partnership Act 2004 (c.33).

(5) S.I. 2009/1887.

(6) S.I. 2011/831.

(7) 2002 c. 6 (N.I.).

(8) 1968 c. 49; section 12B was inserted by section 4 of the Community Care (Direct Payments) Act 1996 (c. 30). Subsection (1) was amended by section 7 of the Community Care and Health (Scotland) Act 2002 (asp 5) and section 70 of the Regulation of Care (Scotland) Act 2001 (asp 8).

(9) 1995 c.18; section 26 has been amended but none of those amendments are relevant to this Order.

(10) S.I. 1995/2705 (N.I. 15).

(11) S.I. 1983/686, amended by S.I. 1983/1164, 1983/1540, 1984/1289, 1984/1675, 1985/1313, 1986/628, 1987/191, 1988/367, 1988/2260, section 123 of, and paragraph 3 of Schedule 8 to, the Criminal Justice Act 1988 (c.33), S.I. 1989/415, 1990/1300, 1991/708, 1992/702, 1992/3226, 1993/480, 1994/715, 1994/2021, 1995/445, 1997/812, 1999/262, 2001/420, 2002/672, 2004/717, 2005/655, 2005/3031, 2006/765, 2007/646, 2008/592, 2008/2683, 2009/438, 2010/283, 2010/1172, 2011/811, 2011/1740, 2012/670 and modified by S.I. 2005/3137.

(12) S.I. 2006/606, amended by S.I. 2006/1455, 2007/909, 2008/679, 2008/2683, 2009/706, 2010/240, 2011/235, 2011/1740 and 2012/359.

(13) 2012 c. 5.

(14) S.I. 2013/383.

(15) S.I. 2013/376.

- (v) a limited capability for work or limited capacity for work and work -related activity element.”.

Commencement Information

I2 Art. 2 in force at 6.4.2014, see [art. 1](#)

Amendments to the Court of Protection Fees Order 2007

3.—(1) The Court of Protection Fees Order 2007(**16**) is amended as follows.

(2) In paragraph 1(1) of Schedule 2 (remissions and part remissions) for the definition of “excluded benefits” substitute—

““excluded benefits” means any of the following—

- (a) any of the following benefits payable under the Social Security Contributions and Benefits Act 1992 or the corresponding provisions of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—
 - (i) attendance allowance under section 64;
 - (ii) severe disablement allowance;
 - (iii) carer’s allowance;
 - (iv) disability living allowance;
 - (v) constant attendance allowance under section 104 as an increase to a disablement pension;
 - (vi) any payment made out of the social fund;
 - (vii) housing benefit;
 - (viii) widowed parents allowance;
- (b) any of the following benefit payable under the Tax Credits Act 2002—
 - (i) any disabled child element or severely disabled child element of the child tax credit;
 - (ii) any childcare element of the working tax credit;
- (c) any direct payment made under the Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009, the Community Care, Services for Carers and Children’s Services (Direct Payments) (Wales) Regulations 2011, the Carers and Direct Payments Act (Northern Ireland) 2002, or section 12B(1) of the Social Work (Scotland) Act 1968;
- (d) a back to work bonus payable under section 26 of the Jobseekers Act 1995, or article 28 of the Jobseekers (Northern Ireland) Order 1995;
- (e) any exceptionally severe disablement allowance paid under the Personal Injuries (Civilians) Scheme 1983;
- (f) any payments from the Industrial Injuries Disablement Benefit;
- (g) any pension paid under the Naval, Military and Air Forces etc. (Disablement and Death) Service Pension Order 2006;
- (h) any payment made from the Independent Living Funds;
- (i) any payment made from the Bereavement Allowance;
- (j) any financial support paid under an agreement for the care of a foster child;

- (k) any housing credit element of pension credit;
- (l) any armed forces independence payment;
- (m) any personal independence payment payable under the Welfare Reform Act 2012;
- (n) any payment on account of benefit as defined in the Social Security (Payments on Account of Benefit) Regulations 2013;
- (o) any of the following amounts, as defined by the Universal Credit Regulations 2013, that make up an award of universal credit—
 - (i) an additional amount to the child element in respect of a disabled child;
 - (ii) a housing costs element;
 - (iii) a childcare costs element;
 - (iv) a carer element;
 - (v) a limited capability for work or limited capacity for work and work -related activity element.”.

(3) In paragraph 17(3) of Schedule 2 (remissions and part remissions) for “on which the fee was paid” substitute “of the order of the court which finally disposed of the proceedings”.

Commencement Information

I3 Art. 3 in force at 6.4.2014, see [art. 1](#)

Amendments to the Civil Proceedings Fees Order 2008

4.—(1) The Civil Proceedings Fees Order 2008(17) is amended as follows.

(2) In Schedule 1 (fees to be taken) in the entries 7.1, 8.1 and 8.10 for “execution” substitute “control”;

(3) In Schedule 2 (remissions and part remissions) for the definition of “excluded benefits” substitute—

““excluded benefits” means any of the following—

- (a) any of the following benefits payable under the Social Security Contributions and Benefits Act 1992 or the corresponding provisions of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—
 - (i) attendance allowance under section 64;
 - (ii) severe disablement allowance;
 - (iii) carer’s allowance;
 - (iv) disability living allowance;
 - (v) constant attendance allowance under section 104 as an increase to a disablement pension;
 - (vi) any payment made out of the social fund;
 - (vii) housing benefit;
 - (viii) widowed parents allowance;
- (b) any of the following benefit payable under the Tax Credits Act 2002—

(17) [S.I. 2008/1053](#), amended by section 59(5) of, and paragraph 1(2) of Part 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c.4), [S.I. 2008/2853](#), [2009/1498](#), [2013/388](#), [2013/1410](#) and [2013/2302](#).

- (i) any disabled child element or severely disabled child element of the child tax credit;
- (ii) any childcare element of the working tax credit;
- (c) any direct payment made under the Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2009, the Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2011, the Carers and Direct Payments Act (Northern Ireland) 2002, or section 12B(1) of the Social Work (Scotland) Act 1968;
- (d) a back to work bonus payable under section 26 of the Jobseekers Act 1995, or article 28 of the Jobseekers (Northern Ireland) Order 1995;
- (e) any exceptionally severe disablement allowance paid under the Personal Injuries (Civilians) Scheme 1983;
- (f) any payments from the Industrial Injuries Disablement Benefit;
- (g) any pension paid under the Naval, Military and Air Forces etc. (Disablement and Death) Service Pension Order 2006;
- (h) any payment made from the Independent Living Funds;
- (i) any payment made from the Bereavement Allowance;
- (j) any financial support paid under an agreement for the care of a foster child;
- (k) any housing credit element of pension credit;
- (l) any armed forces independence payment;
- (m) any personal independence payment payable under the Welfare Reform Act 2012;
- (n) any payment on account of benefit as defined in the Social Security (Payments on Account of Benefit) Regulations 2013;
- (o) any of the following amounts, as defined by the Universal Credit Regulations 2013, that make up an award of universal credit—
 - (i) an additional amount to the child element in respect of a disabled child;
 - (ii) a housing costs element;
 - (iii) a childcare costs element;
 - (iv) a carer element;
 - (v) a limited capability for work or limited capacity for work and work -related activity element.”.

Commencement Information

14 Art. 4 in force at 6.4.2014, see [art. 1](#)

Amendments to the Family Proceedings Fees Order 2008

- 5.—**(1) The Family Proceedings Fees Order 2008(**18**) is amended as follows.
- (2) In Schedule 1 (fees to be taken)—
- (a) in the entry 11.1(b) for “an interpleader summons under an execution” substitute “a claim to controlled, executed or exempt goods”;
 - (b) in the entries 12.1 and 14.1 for “execution” substitute “control”.

(18) [S.I. 2008/1054](#), amended by section 59(5) of, and paragraph 1(2) of Part 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c.4) and relevant amending instruments are [S.I. 2008/2856](#), [2009/1499](#), [2011/1045](#), [2013/388](#) and [2013/2302](#).

(3) In Schedule 2 (remissions and part remissions) for the definition of “excluded benefits” substitute—

““excluded benefits” means any of the following—

- (a) any of the following benefits payable under the Social Security Contributions and Benefits Act 1992 or the corresponding provisions of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—
 - (i) attendance allowance under section 64;
 - (ii) severe disablement allowance;
 - (iii) carer’s allowance;
 - (iv) disability living allowance;
 - (v) constant attendance allowance under section 104 as an increase to a disablement pension;
 - (vi) any payment made out of the social fund;
 - (vii) housing benefit;
 - (viii) widowed parents allowance;
- (b) any of the following benefit payable under the Tax Credits Act 2002—
 - (i) any disabled child element or severely disabled child element of the child tax credit;
 - (ii) any childcare element of the working tax credit;
- (c) any direct payment made under the Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009, the Community Care, Services for Carers and Children’s Services (Direct Payments) (Wales) Regulations 2011, the Carers and Direct Payments Act (Northern Ireland) 2002, or section 12B(1) of the Social Work (Scotland) Act 1968;
- (d) a back to work bonus payable under section 26 of the Jobseekers Act 1995, or article 28 of the Jobseekers (Northern Ireland) Order 1995;
- (e) any exceptionally severe disablement allowance paid under the Personal Injuries (Civilians) Scheme 1983;
- (f) any payments from the Industrial Injuries Disablement Benefit;
- (g) any pension paid under the Naval, Military and Air Forces etc. (Disablement and Death) Service Pension Order 2006;
- (h) any payment made from the Independent Living Funds;
- (i) any payment made from the Bereavement Allowance;
- (j) any financial support paid under an agreement for the care of a foster child;
- (k) any housing credit element of pension credit;
- (l) any armed forces independence payment;
- (m) any personal independence payment payable under the Welfare Reform Act 2012;
- (n) any payment on account of benefit as defined in the Social Security (Payments on Account of Benefit) Regulations 2013;
- (o) any of the following amounts, as defined by the Universal Credit Regulations 2013, that make up an award of universal credit—
 - (i) an additional amount to the child element in respect of a disabled child;
 - (ii) a housing costs element;
 - (iii) a childcare costs element;

- (iv) a carer element;
- (v) a limited capability for work or limited capacity for work and work -related activity element.”.

Commencement Information

I5 Art. 5 in force at 6.4.2014, see [art. 1](#)

Amendments to fee remissions

6.—(1) Schedule 1A (remissions and part remissions) to the Non-Contentious Probate Fees Order 2004(**19**), the Schedule (remissions and part remissions) to the Gender Recognition (Application Fees) Order 2006(**20**) and Schedule 2 (remissions and part remissions) of—

- (a) the Magistrates’ Courts Fees Order 2008(**21**),
- ^{F1}(b)
- (c) the Upper Tribunal (Lands Chamber) Fees Order 2009(**22**)
- (d) the First-tier Tribunal (Gambling) Fees Order 2010(**23**),
- (e) the Upper Tribunal (Immigration and Asylum Chamber) (Judicial Review) (England and Wales) Fees Order 2011(**24**), and
- (f) the First-tier Tribunal (Property Chamber) Fees Order 2013(**25**),

are amended as follows.

(2) In paragraph 1(1) for the definition of “excluded benefits” substitute—

““excluded benefits” means any of the following—

- (a) any of the following benefits payable under the Social Security Contributions and Benefits Act 1992 or the corresponding provisions of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—
 - (i) attendance allowance under section 64;
 - (ii) severe disablement allowance;
 - (iii) carer’s allowance;
 - (iv) disability living allowance;
 - (v) constant attendance allowance under section 104 as an increase to a disablement pension;
 - (vi) any payment made out of the social fund;
 - (vii) housing benefit;
 - (viii) widowed parents allowance;
- (b) any of the following benefit payable under the Tax Credits Act 2002—
 - (i) any disabled child element or severely disabled child element of the child tax credit;

(19) S.I. 2004/3120, relevant amending instruments are S.I. 2007/2174, 2009/1497, 2013/388 and 2013/2302.

(20) S.I. 2006/758, amended by S.R. 2008/412, S.I. 2008/1879, 2012/920 and 2013/2302.

(21) S.I. 2008/1052, amended by section 59(5) of, and paragraph 1(2) of Part 1 of Schedule 11 to, the Constitutional Reform Act 2005 (c.4) and relevant amending instruments are S.I. 2008/2855, 2009/1496, 2013/388 and 2013/2302.

(22) S.I. 2009/1114, amended by S.I. 2010/2601, 2013/1199 and 2013/2302.

(23) S.I. 2010/42, amended by S.I. 2010/633 and 2013/2302.

(24) S.I. 2011/2344 amended by S.I. 2013/2069 and 2013/2302.

(25) S.I. 2013/1179 amended by S.I. 2013/2302.

- (ii) any childcare element of the working tax credit;
- (c) any direct payment made under the Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2009, the Community Care, Services for Carers and Children's Services (Direct Payments) (Wales) Regulations 2011, the Carers and Direct Payments Act (Northern Ireland) 2002, or section 12B(1) of the Social Work (Scotland) Act 1968;
- (d) a back to work bonus payable under section 26 of the Jobseekers Act 1995, or article 28 of the Jobseekers (Northern Ireland) Order 1995;
- (e) any exceptionally severe disablement allowance paid under the Personal Injuries (Civilians) Scheme 1983;
- (f) any payments from the Industrial Injuries Disablement Benefit;
- (g) any pension paid under the Naval, Military and Air Forces etc. (Disablement and Death) Service Pension Order 2006;
- (h) any payment made from the Independent Living Funds;
- (i) any payment made from the Bereavement Allowance;
- (j) any financial support paid under an agreement for the care of a foster child;
- (k) any housing credit element of pension credit;
- (l) any armed forces independence payment;
- (m) any personal independence payment payable under the Welfare Reform Act 2012;
- (n) any payment on account of benefit as defined in the Social Security (Payments on Account of Benefit) Regulations 2013;
- (o) any of the following amounts, as defined by the Universal Credit Regulations 2013, that make up an award of universal credit—
 - (i) an additional amount to the child element in respect of a disabled child;
 - (ii) a housing costs element;
 - (iii) a childcare costs element;
 - (iv) a carer element;
 - (v) a limited capability for work or limited capacity for work and work -related activity element.”.

Textual Amendments

F1 [Art. 6\(1\)\(b\)](#) revoked (1.4.2024) by [The Supreme Court Fees Order 2024 \(S.I. 2024/148\)](#), [art. 1\(1\)](#), [Sch. 3](#)

Commencement Information

I6 [Art. 6](#) in force at 6.4.2014, see [art. 1](#)

Transitional provision

7. The amendments made by this Order to Table 2 in Schedule 2 (employment tribunals - issue and hearing fee) to the Employment Tribunals and the Employment Appeal Tribunal Fees Order 2013, have no effect in relation to the issue fee or the hearing fee payable in any claim where the claim form was presented before the 6th April 2014.

Commencement Information

I7 Art. 7 in force at 6.4.2014, see [art. 1](#)

Signed by the authority of the Lord Chancellor and Secretary of State

11th March 2014

Shailesh Vara
Parliamentary Under Secretary of State
Ministry of Justice

We agree and consent

11th March 2014

Mark Lancaster
Stephen Crabb
Two of the Lords Commissioners of Her
Majesty's Treasury

Changes to legislation:

There are currently no known outstanding effects for the The Courts and Tribunals Fees (Miscellaneous Amendments) Order 2014.