

2021 No. 985 (L. 14)

BETTING, GAMING AND LOTTERIES

COUNTY COURT, ENGLAND AND WALES

FAMILY PROCEEDINGS, ENGLAND AND WALES

GENDER RECOGNITION

MAGISTRATES' COURTS, ENGLAND AND WALES

MENTAL CAPACITY, ENGLAND AND WALES

SENIOR COURTS OF ENGLAND AND WALES

SUPREME COURT OF THE UNITED KINGDOM

TRIBUNALS AND INQUIRIES

The Court Fees (Miscellaneous Amendments) Order 2021

<i>Made</i> - - - -	<i>2nd September 2021</i>
<i>Laid before Parliament</i>	<i>6th September 2021</i>
<i>Coming into force</i> - -	<i>30th September 2021</i>

The Lord Chancellor and the Secretary of State makes the following Order in exercise of the powers conferred on the Lord Chancellor by section 92(1) and (2) of the Courts Act 2003(a), sections 414 and 415 of the Insolvency Act 1986(b), section 54(1) and (2) of the Mental Capacity Act 2005(c), section 52 of the Constitutional Reform Act 2005(d), section 42 of the Tribunals,

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- (a) 2003 c. 39. Section 92 was amended by paragraph 345 of Schedule 4, and paragraph 4 of Schedule 11 to the Constitutional Reform Act 2005 (c. 4) and by paragraph 40(a) of Schedule 9 and paragraph 95 of Schedule 10 to the Crime and Courts Act 2013 (c. 22).
- (b) 1986 c. 45. Section 414 was amended by sections 126 and 161 of the Banking Act 2009 (c. 1), section 2(1) of, and paragraphs 1 and 23 of Schedule 3 to, the Corporate Insolvency and Governance Act 2020 (c. 12), and by S.I. 2007/2194 and 2009/805. Section 415 was amended by section 108(3) of, and paragraphs 1 and 9 of Part 1 of Schedule 20 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15), and by section 71(3) of, and paragraphs 1 and 59 of Schedule 19 to, the Enterprise and Regulatory Reform Act 2013 (c. 24).
- (c) 2005 c. 9.
- (d) 2005 c. 4.

Courts and Enforcement Act 2007(a), and section 180(1) of the Anti-Social Behaviour, Crime and Policing Act 2014(b), and on the Secretary of State by section 7(2) of the Gender Recognition Act 2004(c).

The Lord Chancellor has had regard to the matters referred to in section 92(3) of the Courts Act 2003, section 52(3) of the Constitutional Reform Act 2005 and section 180(3) of the Anti-Social Behaviour, Crime and Policing Act 2014.

In accordance with section 54(3) of the Mental Capacity Act 2005, the Lord Chancellor has consulted the President of the Court of Protection, the Vice-President of the Court of Protection and the Senior Judge of the Court of Protection.

In accordance with section 92(5) and (6) of the Courts Act 2003, the Lord Chancellor has consulted the Lord Chief Justice, the Master of the Rolls, the President of the Queen's Bench Division, the President of the Family Division, the Chancellor of the High Court, the Head of Civil Justice, the Deputy Head of Civil Justice and, in relation to civil proceedings, the Civil Justice Council.

The Lord Chancellor has consulted in accordance with section 52(4) to (6) of the Constitutional Reform Act 2005.

In accordance with section 42(5) of the Tribunals, Courts and Enforcement Act 2007, the Lord Chancellor has consulted the Senior President of Tribunals.

In accordance with section 92(1) of the Courts Act 2003, sections 414(1) and 415(1) of the Insolvency Act 1986, section 54(1) of the Mental Capacity Act 2005 and section 52(1) of the Constitutional Reform Act 2005, the Lord Chancellor has obtained the agreement, consent and sanction of the Treasury.

PART 1

Introduction

Citation and commencement

1. This Order may be cited as the Court Fees (Miscellaneous Amendments) Order 2021 and comes into force on 30th September 2021.

Extent

2.—(1) The following provisions of this Order extend to England and Wales—

(a) articles 4 to 7;

(b) article 8 insofar as it relates to the amendment of—

(i) Schedule 1A to the Non-Contentious Probate Fees Order 2004(d) (remissions and part remissions);

(a) 2007 c. 15. Section 42 was amended by S.I. 2010/21 and S.I. 2013/2042.

(b) 2014 c. 12. As this instrument only adjusts a fee to reflect changes in the value of money, in accordance with section 180(8) of the Anti-Social Behaviour, Crime and Policing Act 2014, section 180(7) of that Act does not apply (requirement that a statutory instrument to which section 180(7) applies may not be made unless a draft of the instrument has been laid before both Houses of Parliament and approved by a resolution of each House).

(c) 2004 c. 7. There are amendments of section 7, but none is relevant.

(d) S.I. 2004/3120. The relevant amending instrument is S.I. 2013/2302.

- (ii) Schedule 2 to the Court of Protection Fees Order 2007(a) (remissions and part remissions);
- (iii) Schedule 2 to the Magistrates' Courts Fees Order 2008(b) (remissions and part remissions);
- (iv) Schedule 2 to the Civil Proceedings Fees Order 2008(c) (remissions and part remissions);
- (v) Schedule 2 to the Family Proceedings Fees Order 2008(d) (remissions and part remissions);
- (vi) Schedule 2 to the Upper Tribunal (Lands Chamber) Fees Order 2009(e) (remissions and part remissions);
- (vii) Schedule 2 to the Upper Tribunal (Immigration and Asylum) (Judicial Review) (England and Wales) Fees Order 2011(f) (remissions and part remissions).

(2) The following provisions of this Order extend to England and Wales, Scotland and Northern Ireland—

- (a) this article;
- (b) article 8, insofar as it relates to the amendment of—
 - (i) the Schedule to the Gender Recognition (Application Fees) Order 2006(g) (remissions and part remissions);
 - (ii) Schedule 2 to the Supreme Court Fees Order 2009(h) (remissions and part remissions);
 - (iii) Schedule 2 to the First-tier Tribunal (Gambling) Fees Order 2010(i) (remissions and part remissions);
 - (iv) Schedule 1 to the First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011(j) (remissions and part remissions).

(3) Article 8 of this Order extends to England only insofar as it relates to the amendment of Schedule 2 to the First-tier Tribunal (Property Chamber) Fees Order 2013(k) (remissions and part remissions).

Application

3.—(1) Article 8 of this Order applies to proceedings in the Lands Chamber of the Upper Tribunal insofar as it relates to the amendment of Schedule 2 to the Upper Tribunal (Lands Chamber) Fees Order 2009.

(2) Article 8 of this Order applies to proceedings in the Property Chamber of the First-tier Tribunal insofar as it relates to the amendment of Schedule 2 to the First-tier Tribunal (Property Chamber) Fees Order 2013.

(a) S.I. 2007/1745. The relevant amending instrument is S.I. 2013/2302.
 (b) S.I. 2008/1052. The relevant amending instrument is S.I. 2013/2302.
 (c) S.I. 2008/1053. The relevant amending instrument is S.I. 2013/2302.
 (d) S.I. 2008/1054. The relevant amending instrument is S.I. 2013/2302.
 (e) S.I. 2009/1114. The relevant amending instrument is S.I. 2013/2302.
 (f) S.I. 2011/2344. The relevant amending instrument is S.I. 2013/2302.
 (g) S.I. 2006/758. The relevant amending instrument is S.I. 2013/2302.
 (h) S.I. 2009/2131. The relevant amending instrument is S.I. 2013/2302.
 (i) S.I. 2010/42. The relevant amending instrument is S.I. 2013/2302.
 (j) S.I. 2011/2841. The relevant amending instrument is S.I. 2020/314.
 (k) S.I. 2013/1179. The relevant amending instrument is S.I. 2013/2302.

PART 2

Amendment of Court Fees

Amendment of the Court of Protection Fees Order 2007

4.—(1) The table in Schedule 1 to the Court of Protection Fees Order 2007(**a**) (fees to be taken) is amended as follows.

- (2) In the entry “Application fee (Article 4)”, in column 2, for “£365” substitute “£371”.
- (3) In the entry “Appeal fee (Article 5)”, in column 2, for “£230” substitute “£234”.
- (4) In the entry “Hearing fees (Article 6)”, in column 2, for “£485” substitute “£494”.

Amendment of the Magistrates’ Courts Fees Order 2008

5.—(1) The table in Schedule 1 to the Magistrates’ Courts Fees Order 2008(**b**) (fees to be taken) is amended as follows.

(2) In the entry for fee 2.1 (on an application to state a case for the opinion of the High Court), in column 2, for “£135” substitute “£137”.

(3) In the entry for fee 2.3 (proceedings under Schedule 5 to the Licensing Act 2003), in column 2, for “£60” substitute “£62”.

(4) In the entry for fee 2.4 (on commencing an appeal where no other fee is specified), in column 2, for “£60” substitute “£62”.

(5) In the entry for fee 3.2 (register of judgments, orders and fines kept under section 98 of the Courts Act 2003(**c**)), in column 2, for “£15” substitute “£16”.

(6) In the entry for fee 5.1(a) (on a request for a copy document of ten pages or less), in column 2, for “£10” substitute “£11”.

(7) In the entry for fee 5.2 (on a request for a copy of a document on a computer disk or in other electronic form), in column 2, for “£10” substitute “£11”.

(8) In the entry for fee 6.1 (on a request for a licence, consent or authority where no other fee is specified), in column 2, for “£25” substitute “£27”.

(9) In the entry for fee 6.2 (on an application for the renewal or variation of an existing licence), in column 2, for “£25” substitute “£27”.

(10) In the entry for fee 6.3 (on an application for the revocation of a licence where no other fee is specified), in column 2, for “£25” substitute “£27”.

(11) In the entry for fee 7.1 (on taking the attestation of a constable or special constable under the Police Act 1996), in column 2, for “£10” substitute “£11”.

(12) In the entry for fee 7.2 (for every oath, affirmation, solemn declaration or statutory declaration where no other fee is specified), in column 2, for “£25” substitute “£27”.

(13) In the entry for fee 8.2(a) (on an application for leave or permission to commence proceedings where no other fee is specified), in column 2, for “£116” substitute “£125”.

(14) In the entry for fee 8.2(b) (on commencing proceedings where leave or permission has been granted following payment of fee 8.2(a)), in column 2, for “£116” substitute “£125”.

(15) In the entry for fee 9.1 (on an application for a warrant of entry), in column 2, for “£20” substitute “£22”.

(a) S.I. 2007/1745 (L. 13). The relevant amending instruments are S.I. 2013/2302 and 2019/1063.

(b) S.I. 2008/1052 (L. 4). Relevant amending instruments are S.I. 2014/875, 2016/807, 2019/1063 and 2020/100.

(c) 2003 c. 39. Section 98 is amended by section 107(3) of, paragraph 55 of Schedule 8 and paragraph 15 of Schedule 16 to, the Tribunals, Courts and Enforcement Act 2007 (c. 15) and by paragraph 40(a) and (c) of Part 2 of Schedule 9 to the Crime and Courts Act 2013 (c. 22).

(16) In the entry for fee 9.2 (on an application for any other warrant where no other fee is specified), in column 2, for “£75” substitute “£81”.

(17) In the entry for fee 10.1 (on an application for a warrant for commitment made in proceedings under the Council Tax (Administration and Enforcement) Regulations 1992 or the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989), in column 2, for “£245” substitute “£264”.

(18) in the entry for fee 10.2 (on the application for a warrant for commitment made in proceedings under the Child Support Act 1991), in column 2, for “£40” substitute “£41”.

Amendment of the Civil Proceedings Fees Order 2008

6.—(1) The table in Schedule 1 to the Civil Proceedings Fees Order 2008(a) (fees to be taken) is amended as follows.

(2) In the entry for fee 1.5 (on starting proceedings for any other remedy in the High Court), in column 2, for “£528” substitute “£569”.

(3) In the entry for fee 1.5 (on starting proceedings for any other remedy in the County Court), in column 2, for “£308” substitute “£332”.

(4) In the entry for fee 1.6 (on the filing of proceedings against a party or parties not named in the proceedings), in column 2, for “£55” substitute “£59”.

(5) In the entry for fee 1.8(a) (on an application for permission to issue proceedings), in column 2, for “£55” substitute “£59”.

(6) In the entry for fee 1.8(b) (on an application for an order under Part 3 of the Solicitors Act 1974 for the assessment of costs), in column 2, for “£55” substitute “£59”.

(7) In the entry for fee 2.1(a) (on the court fixing a trial date or trial period for a case allocated to the multi-track), in column 2, for “£1090” substitute “£1175”.

(8) In the entry for fee 2.1(c)(i) (on the court fixing a trial date or trial period for a case allocated to the small claims track where the sum claimed does not exceed £300), in column 2, for “£25” substitute “£27”.

(9) In the entry for fee 2.1(c)(ii) (on the court fixing a trial date or trial period for a case allocated to the small claims track where the sum claimed exceeds £300 but does not exceed £500), in column 2, for “£55” substitute “£59”.

(10) In the entry for fee 2.1(c)(iii) (on the court fixing a trial date or trial period for a case allocated to the small claims track where the sum claimed exceeds £500 but does not exceed £1000), in column 2, for “£80” substitute “£85”.

(11) In the entry for fee 2.1(c)(iv) (on the court fixing a trial date or trial period for a case allocated to the small claims track where the sum claimed exceeds £1000 but does not exceed £1500), in column 2, for “£115” substitute “£123”.

(12) In the entry for fee 2.1(c)(v) (on the court fixing a trial date or trial period for a case allocated to the small claims track where the sum claimed exceeds £1500 but does not exceed £3000), in column 2, for “£170” substitute “£181”.

(13) In the entry for fee 2.1(c)(vi) (on the court fixing a trial date or trial period for a case allocated to the small claims track where the sum claimed exceeds £3000), in column 2, for “£335” substitute “£346”.

(14) In the entry for fee 2.2 (in the High Court on filing an appellant’s notice or a respondent’s notice), in column 2, for “£240” substitute “£259”.

(15) In the entry for fee 2.3(a) (in the County Court on filing an appellant’s notice or a respondent’s notice in a claim allocated to the small claims track), in column 2, for “£120” substitute “£129”.

(a) S.I. 2008/1053 (L. 5). Relevant amending instruments are S.I. 2014/874, 2014/1834, 2015/576, 2016/402, 2016/434, 2016/807, 2016/1191, 2017/702, 2018/812, 2019/146, 2019/1063 and 2020/720.

(16) In the entry for fee 2.3(b) (in the County Court on filing an appellant's notice or a respondent's notice in all other claims), in column 2, for "£140" substitute "£151".

(17) In the entry for fee 2.4(a) (on an application on notice where no other fee is specified, except for applications referred to in fee 2.4(b)), in column 2, for "£255" substitute "£275".

(18) In the entry for fee 2.4(b) (on an application on notice where no other fee is specified made under section 3 of the Protection from Harassment Act 1997, or for a payment out of funds deposited in court), in column 2, for "£155" substitute "£167".

(19) In the entry for fee 2.5(a) (on an application by consent or without notice where no other fee is specified, except for applications referred to in fee 2.5(b)), in column 2, for "£100" substitute "£108".

(20) In the entry for fee 2.5(b) (on an application made by consent or without notice where no other fee is specified made under section 3 of the Protection from Harassment Act 1997, or for a payment out of funds deposited in court), in column 2, for "£50" substitute "£54".

(21) In the entry for fee 3.1(b) (on entering a bankruptcy petition if presented by a creditor or other person), in column 2, for "£280" substitute "£302".

(22) In the entry for fee 3.2 (on entering a petition for an administration order), in column 2, for "£280" substitute "£302".

(23) In the entry for fee 3.3 (on entering any other petition), in column 2, for "£280" substitute "£302".

(24) In the entry for fee 3.4(a) (on a request for a certificate of discharge from bankruptcy), in column 2, for "£70" substitute "£75".

(25) In the entry for fee 3.4(b) (after the first certificate of discharge from bankruptcy, for each copy), in column 2, for "£10" substitute "£11".

(26) In the entry for fee 3.11 (on an application by consent or without notice within existing proceedings where no other fee is specified), in column 2, for "£25" substitute "£26".

(27) In the entry for fee 3.12 (on an application with notice within existing proceedings where no other fee is specified), in column 2, for "£95" substitute "£99".

(28) In the entry for fee 4.1(a) (on a request for a copy of a document for ten pages or less), in column 2, for "£10" substitute "£11".

(29) In the entry for fee 4.2 (on a request for a copy of a document on a computer disk or in other electronic form, for each such copy) in column 2, for "£10" substitute "£11".

(30) In the entry for fee 5.1 (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), in column 2, for "£220" substitute "£237".

(31) In the entry for fee 5.2(a) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where the amount of costs claimed does not exceed £15,000), in column 2, for "£369" substitute "£398".

(32) In the entry for fee 5.2(b) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where the amount of costs claimed exceeds £15,000 but does not exceed £50,000), in column 2, for "£743" substitute "£801".

(33) In the entry for fee 5.2(c) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where the amount of costs claimed exceeds £50,000 but does not exceed £100,000), in column 2, for "£1,106" substitute "£1,192".

(34) In the entry for fee 5.2(d) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where the amount of costs claimed exceeds £100,000 but does not exceed £150,000), in column 2, for "£1,480" substitute "£1,595".

(35) In the entry for fee 5.2(e) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where

the amount of costs claimed exceeds £150,000 but does not exceed £200,000), in column 2, for “£1,848” substitute “£1,992”.

(36) In the entry for fee 5.2(f) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where the amount of costs claimed exceeds “£200,000” but does not exceed “£300,000”), in column 2, for “£2,772” substitute “£2,988”.

(37) In the entry for fee 5.2(g) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where the amount of costs claimed exceeds “£300,000” but does not exceed “£500,000”), in column 2, for “£4,620” substitute “£4,980”.

(38) In the entry for fee 5.2(h) (on the filing of a request for detailed assessment where fee 5.1 does not apply, or on the filing of a request for a hearing date for the assessment of costs, where the amount of costs claimed exceeds “£500,000”), in column 2, for “£6,160” substitute “£6,640”.

(39) In the entry for fee 5.3 (on a request for the issue of a default costs certificate), in column 2, for “£66” substitute “£71”.

(40) In the entry for fee 5.4 (on commencing an appeal against a decision made in detailed assessment proceedings), in column 2, for “£231” substitute “£249”.

(41) In the entry for fee 5.5 (on a request or application to set aside a default costs certificate), in column 2, for “£121” substitute “£130”.

(42) In the entry for fee 6.1 (on the filing of a request for detailed assessment of costs incurred in the Court of Protection), in column 2, for “£85” substitute “£87”.

(43) In the entry for fee 6.2 (on an appeal against a decision made in detailed assessment proceedings for costs incurred in the Court of Protection), in column 2, for “£65” substitute “£70”.

(44) In the entry for fee 7.1 (on sealing a writ of control / possession / delivery in the High Court), in column 2, for “£66” substitute “£71”.

(45) In the entry for fee 7.2 (on an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement of a judgment or order), in column 2, for “£55” substitute “£59”.

(46) In the entry for fee 7.3(a) (on an application for a third party debt order or the appointment of a receiver by way of equitable execution), in column 2, for “£110” substitute “£119”.

(47) In the entry for fee 7.3(b) (on an application for a charging order), in column 2, for “£110” substitute “£119”.

(48) In the entry for fee 7.4 (on an application for a judgment summons), in column 2, for “£110” substitute “£119”.

(49) In the entry for fee 7.5 (on a request or application to register a judgment or order, or for permission to enforce an arbitration award, or for a certificate or a certified copy of a judgment or order for use abroad), in column 2, for “£66” substitute “£71”.

(50) In the entry for fee 8.3 (on an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement of a judgment or order), in column 2, for “£55” substitute “£59”.

(51) In the entry for fee 8.4(a) (on an application for a third party debt order or the appointment of a receiver by way of equitable execution), in column 2, for “£110” substitute “£119”.

(52) In the entry for fee 8.4(b) (on an application for a charging order), in column 2, for “£110” substitute “£119”.

(53) In the entry for fee 8.5 (on an application for a judgment summons), in column 2, for “£110” substitute “£119”.

(54) In the entry for fee 8.6 (on the issue of a warrant of possession or a warrant of delivery), in column 2, for “£121” substitute “£130”.

(55) In the entry for fee 8.7 (on an application for an attachment of earnings order (other than a consolidated attachment of earnings order) to secure payment of a judgment debt), in column 2, for “£110” substitute “£119”.

(56) In the entry for fee 8.9 (on an application for the enforcement of an award for a sum of money or other decision made by any court, tribunal, body or person other than the High Court or the County Court), in column 2, for “£44” substitute “£47”.

(57) In the entry for fee 8.10 (on a request for an order to recover a specified road traffic debt), in column 2, for “£8” substitute “£9”.

(58) In the entry for fee 8A.1 (on a request for service by a bailiff of an order to attend the County Court for questioning), in column 2, for “£110” substitute “£119”.

(59) In the entry for fee 10.1 (on filing any document in relation to bills of sale or on an application under section 15 of the Bills of Sale Act 1878 for an order that a memorandum of satisfaction be written on a registered copy of the bill), in column 2, for “£28” substitute “£30”.

(60) In the entry for fee 10.2 (for an official certificate of the result of a search for each name, or in the Court of Funds Office, for an official certificate of the result of a search of unclaimed balances for a specified period of up to 50 years), in column 2, for “£50” substitute “£54”.

(61) In the entry for fee 10.3 (on a search in person of the court’s records, including inspection, for each 15 minutes, or part of 15 minutes), in column 2, for “£11” substitute “£12”.

(62) In the entry for fee 12.1 (for each person making an affidavit or an affirmation or attestation upon honour in lieu of an affidavit or a declaration except for the purpose of receipt of dividends from the Accountant General and for a declaration by a shorthand writer appointed in insolvency proceedings), in column 2, for “£12” substitute “£13”.

(63) In the entry for fee 13.1(a) (in an appeal notice, permission to appeal or an extension of time for appealing (or both) is applied for), in column 2, for “£528” substitute “£569”.

(64) In the entry for fee 13.1(b) (where permission to appeal is not required or has been granted by the lower court), in column 2, for “£1,199” substitute “£1,292”.

(65) In the entry for fee 13.1(c) (on the appellant filing an appeal questionnaire (unless the appellant has paid fee 13.1(b)), or the respondent filing an appeal questionnaire (unless the respondent has paid fee 13.1(b))), in column 2, for “£1,199” substitute “£1,292”.

(66) In the entry for fee 13.2 (on filing a respondent’s notice where the respondent wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court), in column 2, for “£528” substitute “£569”.

(67) In the entry for fee 13.3 (on filing an application notice), in column 2, for “£528” substitute “£569”.

Amendment of the Family Proceedings Fees Order 2008

7.—(1) The table in Schedule 1 to the Family Proceedings Fees Order 2008(a) (fees to be taken) is amended as follows.

(2) In the entry for fee 1.2 (on presenting an application for (a) a decree of divorce made under section 1 of the Matrimonial Causes Act 1973, (b) a decree of nullity made under section 11 or 12 of the Matrimonial Causes Act 1973, (c) a dissolution order or nullity order made under section 37 of the Civil Partnership Act 2004), in column 2, for “£550” substitute “£593”.

(3) In the entry for fee 1.8 (on an application under section 54 or section 54A of the Human Fertilisation and Embryology Act 2008 (parental order)), in column 2, for “£215” substitute “£232”.

(4) In the entry for fee 2.1(a) (on an application for an order under section 4(1)(c) or (3), 4A(1)(b) or (3) of the Children Act 1989 (parental responsibility)), in column 2, for “£215” substitute “£232”.

(5) In the entry for fee 2.1(b) (on an application for an order under section 4ZA(1)(c) or (6) of the Children Act 1989 (parental responsibility)), in column 2, for “£215” substitute “£232”.

(a) S.I. 2008/1054 (L. 6). Relevant amending instruments are S.I. 2014/877, 2015/687, 2015/1419, 2016/402, 2016/211, 2018/1413, 2020/100 and 2020/720.

(6) In the entry for fee 2.1(c) (on an application for an order under section 5(1) or 6(7) of the Children Act 1989 (guardians)), in column 2, for “£215” substitute “£232”.

(7) In the entry for fee 2.1(d) (on an application for an order under section 10(1) or (2) of the Children Act 1989 (section 8 orders)), in column 2, for “£215” substitute “£232”.

(8) In the entry for fee 2.1(e) (on an application for an order under section 11J(2) of the Children Act 1989 (enforcement orders)), in column 2, for “£215” substitute “£232”.

(9) In the entry for fee 2.1(f) (on an application for an order under section 11O(2) of the Children Act 1989 (compensation for financial loss)), in column 2, for “£215” substitute “£232”.

(10) In the entry for fee 2.1(g) (on an application for an order under section 13(1) of the Children Act 1989 (change of child’s surname or removal from jurisdiction while child arrangements order in force)), in column 2, for “£215” substitute “£232”.

(11) In the entry for fee 2.1(h) (on an application for an order under section 14A(3) or (6)(a), 14C(3) or 14D(1) of the Children Act 1989 (special guardianship orders)), in column 2, for “£215” substitute “£232”.

(12) In the entry for fee 2.1(i) (on an application for an order under section 25 of the Children Act 1989 (secure accommodation order)), in column 2, for “£215” substitute “£232”.

(13) In the entry for fee 2.1(ia)(a) (on an application for an order under section 119 of the Social Services and Well-being (Wales) Act 2014 (secure accommodation order)), in column 2, for “£215” substitute “£232”.

(14) In the entry for fee 2.1(j) (on an application for an order under section 33(7) of the Children Act 1989 (change of child’s surname or removal from jurisdiction while care order in force)), in column 2, for “£215” substitute “£232”.

(15) In the entry for fee 2.1(k) (on an application for an order under section 34(2), (3), (4) or (9) of the Children Act 1989 (contact with child in care)), in column 2, for “£215” substitute “£232”.

(16) In the entry for fee 2.1(l) (on an application for an order under section 36(1) of the Children Act 1989 (education supervision order)), in column 2, for “£215” substitute “£232”.

(17) In the entry for fee 2.1(m) (on an application for an order under section 39 of the Children Act 1989 (variation or discharge etc of care and supervision orders)), in column 2, for “£215” substitute “£232”.

(18) In the entry for fee 2.1(n) (on an application for an order under section 43(1) of the Children Act 1989 (child assessment order)), in column 2, for “£215” substitute “£232”.

(19) In the entry for fee 2.1(o) (on an application for an order under sections 44, 45 and 46 of the Children Act 1989 (emergency protection orders)), in column 2, for “£215” substitute “£232”.

(20) In the entry for fee 2.1(p) (on an application for an order under section 48 of the Children Act 1989 (warrant to assist person exercising powers under emergency protection)), in column 2, for “£215” substitute “£232”.

(21) In the entry for fee 2.1(q) (on an application for an order under section 50 of the Children Act 1989 (recovery order)), in column 2, for “£215” substitute “£232”.

(22) In the entry for fee 2.1(s) (on an application for an order under section 102 of the Children Act 1989 (warrant to assist person exercising powers to search for children or inspect premises)), in column 2, for “£215” substitute “£232”.

(23) In the entry for fee 2.1(t) (on an application for an order under paragraph 4(2), 6(2), 7(2) or 9(2) of Schedule A1 to the Children Act 1989 (applications in respect of enforcement orders)), in column 2, for “£95” substitute “£102”.

(24) In the entry for fee 2.1(u) (on an application for an order under paragraph 5(2) of Schedule A1 to the Children Act 1989 (amendment of enforcement order by reason of change of address)), in column 2, for “£72” substitute “£70”.

(a) Paragraph (ia) was inserted by S.I. 2016/211.

(25) In the entry for fee 2.1(v) (on an application for an order under paragraph 1(1) or (4), 2(1) or (5), 5(6), 6(5), (7) or (8), 8(2), 10(2), 11 or 14(1) of Schedule 1 to the Children Act 1989 (financial provision for children)), in column 2, for “£215” substitute “£232”.

(26) In the entry for fee 2.1(w) (on an application for an order under paragraph 19(1) of Schedule 2 to the Children Act 1989 (approval of court for child in care of local authority to live abroad)), in column 2, for “£215” substitute “£232”.

(27) In the entry for fee 2.1(wa)(a) (on an application for an order under section 124(1) of the Social Services and Well-being (Wales) Act 2014 (approval of court for child in care of local authority to live abroad)), in column 2, for “£215” substitute “£232”.

(28) In the entry for fee 2.1(x) (on an application for an order under paragraph 6 of Schedule 3 to the Children Act 1989 (extension of supervision order)), in column 2, for “£215” substitute “£232”.

(29) In the entry for fee 2.1(y) (on an application for an order under paragraph 15(2) or 17(1) of Schedule 3 to the Children Act 1989 (extension or discharge of education supervision order)), in column 2, for “£215” substitute “£232”.

(30) In the entry for fee 2.1(z) (on an application for an order under paragraph 8(1) of Schedule 8 to the Children Act 1989 (appeals concerning foster parenting)), in column 2, for “£215” substitute “£232”.

(31) In the entry for fee 2.2 (on an application under section 31 of the Children Act 1989 (care and supervision orders)), in column 2, for “£2,055” substitute “£2,215”.

(32) In the entry for fee 3.1 (on applying or requesting permission to apply under any provision in Part 1 of the Adoption and Children Act 2002, other than an application under section 22 of that Act), in column 2, for “£170” substitute “£183”.

(33) In the entry for fee 3.2 (on applying under section 22 of the Adoption and Children Act 2002 (placement order)), in column 2, for “£455” substitute “£490”.

(34) In the entry for fee 3.3 (on applying for the exercise by the High Court of its inherent jurisdiction with respect to children), in column 2, for “£170” substitute “£183”.

(35) In the entry for fee 4.1 (on an application for a warning notice to be attached to a contact order), in column 2, for “£50” substitute “£54”.

(36) In the entry for fee 5.1 (on an application in existing proceedings without notice or by consent, except where separately listed in that Schedule), in column 2, for “£50” substitute “£53”.

(37) In the entry for fee 5.2 (on an application under rule 7.19 of the Family Procedure Rules 2010 for the court to consider the making of a decree nisi, conditional order, a decree of judicial separation or a separation order (other than in an undefended case where no fee is payable)), in column 2, for “£50” substitute “£54”.

(38) In the entry for fee 5.3 (on an application in existing proceedings on notice, except where separately listed in that Schedule), in column 2, for “£155” substitute “£167”.

(39) In the entry for fee 5.4 (on the filing of (a) a notice of intention to proceed with an application for a financial order to which rule 9.4(a) of the Family Procedure Rules 2010 applies; or (b) an application for a financial order to which rule 9.4(b) of the Family Procedure Rules 2010 applies, other than an application for a consent order), in column 2, for “£255” substitute “£275”.

(40) In the entry for fee 8.1 (on a request for a copy document (other than where fee 8.2 applies) (a) for ten pages or less), in column 2, for “£10” substitute “£11”.

(41) In the entry for fee 8.2 (on a request for a copy of a document on a computer disk or in other electronic form, for each such copy), in column 2, for “£10” substitute “£11”.

(42) In the entry for fee 9.3 (on a request for the issue of a default costs certificate), in column 2, for “£60” substitute “£65”.

(a) Paragraph (wa) was inserted by S.I. 2016/211.

(43) In the entry for fee 12.1 (on an application to question a judgment debtor or other person on oath in connection with enforcement of a judgment, or on an application to which rule 33.3(2)(b) of the Family Procedure Rules 2010 applies), in column 2, for “£50” substitute “£54”.

(44) In the entry for fee 13.3 (on the issue of a warrant of possession or a warrant of delivery), in column 2, for “£110” substitute “£119”.

PART 3

Amendment of Help with Fees Income Thresholds

Amendment of the Help with Fees Income Thresholds

8.—(1) The following provisions of the Orders listed in paragraph (4) are amended as follows.

(2) In paragraph 11 (remission of fees – gross monthly income)—

(a) after sub-paragraph (1)(b), for Table 2 substitute—

“Table 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Number of children of party</i>	<i>Single</i>	<i>Couple</i>
no children	£1,170	£1,345
1 child	£1,435	£1,610
2 children	£1,700	£1,875”

(b) in sub-paragraph (2) for “£245” substitute “£265”.

(3) In paragraph 12 (gross monthly income cap)—

(a) after sub-paragraph (1)(b), for Table 3 substitute—

“Table 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Number of children of party</i>	<i>Single</i>	<i>Couple</i>
no children	£5,170	£5,345
1 child	£5,435	£5,610
2 children	£5,700	£5,875”

(b) in sub-paragraph (2), for “£245” substitute “£265”.

(4) The provisions listed in this paragraph are—

- (a) Schedule 1A to the Non-Contentious Probate Fees Order 2004^(a) (remissions and part remissions);
- (b) the Schedule to the Gender Recognition (Application Fees) Order 2006^(b) (remissions and part remissions);
- (c) Schedule 2 to the Court of Protection Fees Order 2007^(c) (remissions and part remissions);
- (d) Schedule 2 to the Magistrates’ Courts Fees Order 2008^(d) (remissions and part remissions);
- (e) Schedule 2 to the Civil Proceedings Fees Order 2008^(e) (remissions and part remissions);

(a) S.I. 2004/3120. The relevant amending instrument is S.I. 2013/2302.

(b) S.I. 2006/758. The relevant amending instrument is S.I. 2013/2302.

(c) S.I. 2007/1745. The relevant amending instrument is S.I. 2013/2302.

(d) S.I. 2008/1052. The relevant amending instrument is S.I. 2013/2302.

(e) S.I. 2008/1053. The relevant amending instrument is S.I. 2013/2302.

- (f) Schedule 2 to the Family Proceedings Fees Order 2008^(a) (remissions and part remissions);
- (g) Schedule 2 to the Supreme Court Fees Order 2009^(b) (remissions and part remissions);
- (h) Schedule 2 to the Upper Tribunal (Lands Chamber) Fees Order 2009^(c) (remissions and part remissions);
- (i) Schedule 2 to the First-tier Tribunal (Gambling) Fees Order 2010^(d) (remissions and part remissions);
- (j) Schedule 2 to the Upper Tribunal (Immigration and Asylum) (Judicial Review) (England and Wales) Fees Order 2011^(e) (remissions and part remissions);
- (k) Schedule 1 to the First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011^(f) (remissions and part remissions);
- (l) Schedule 2 to the First-tier Tribunal (Property Chamber) Fees Order 2013^(g) (remissions and part remissions).

Signed by authority of the Lord Chancellor and Secretary of State

Chris Philp
Parliamentary Under Secretary of State
Ministry of Justice

2nd September 2021

We agree and consent

Alan Mak
Maggie Throup

27th August 2021

Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

Part 2 of this Order amends the Court of Protection Fees Order 2007 (S.I. 2007/1745), the Magistrates' Courts Fees Order 2008 (S.I. 2008/1052), the Civil Proceedings Fees Order 2008 (S.I. 2008/1053) and the Family Proceedings Fees Order 2008 (S.I. 2008/1054), in order to increase certain court fees in line with inflation.

Part 3 of this Order amends the Non-Contentious Probate Fees Order 2004 (S.I. 2004/3120), the Gender Recognition (Application Fees) Order 2006 (S.I. 2006/758), S.I. 2007/1745, S.I. 2008/1052, S.I. 2008/1053, S.I. 2008/1054, the Supreme Court Fees Order 2009 (S.I. 2009/2131), the Upper Tribunal (Lands Chamber) Fees Order 2009 (S.I. 2009/1114), the First-tier Tribunal (Gambling) Fees Order 2010 (S.I. 2010/42), the Upper Tribunal (Immigration and Asylum) (Judicial Review) (England and Wales) Fees Order 2011 (S.I. 2011/2344), the First-tier Tribunal (Immigration and Asylum Chamber) Fees Order 2011 (S.I. 2011/2841), the First-tier Tribunal (Property Chamber) Fees Order 2013 (S.I. 2013/1179), in order to increase the help with fees gross monthly income threshold and the gross monthly income cap in line with inflation.

A full impact assessment of the effect that this instrument will have on them costs of business, the voluntary sector and the public sector is available from the Ministry of Justice, 102 Petty France, London, SW1H 9AJ and is published with an Explanatory Memorandum alongside the instrument on <https://legislation.gov.uk>.

(a) S.I. 2008/1054. The relevant amending instrument is S.I. 2013/2302.
 (b) S.I. 2009/2131. The relevant amending instrument is S.I. 2013/2302.
 (c) S.I. 2009/1114. The relevant amending instrument is S.I. 2013/2302.
 (d) S.I. 2010/42. The relevant amending instrument is S.I. 2013/2302.
 (e) S.I. 2011/2344. The relevant amending instrument is S.I. 2013/2302.
 (f) S.I. 2011/2841. The relevant amending instrument is S.I. 2020/314.
 (g) S.I. 2013/1179. The relevant amending instrument is S.I. 2013/2302.

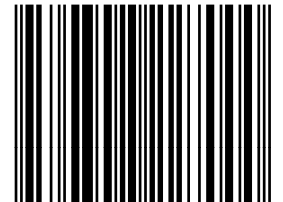
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