
STATUTORY INSTRUMENTS

2023 No. 865

**The Ecclesiastical Judges, Legal
Officers and Others (Fees) Order 2023**

Exemption, reduction or remission

16.—(1) A person who would be entitled to an exemption from or reduction in, or a remission or part remission of, a fee prescribed by the Order for the time being in force under section 92 of the Courts Act 2003⁽¹⁾ (“the Civil Proceedings Fees Order”) is entitled to an equivalent exemption from or reduction in, or remission or part remission of, a fee provided for by this Order; and the Civil Proceedings Fees Order applies accordingly for the purposes of this Order.

(2) Where the Civil Proceedings Fees Order includes provision requiring an application to be made for an exemption from, reduction in or remission of a fee, that provision is to be read for the purposes of this Order as requiring the application to be made to the registrar.

(3) Where the Civil Proceedings Fees Order includes provision enabling a specified person to exercise a discretion in relation to an exemption from, reduction in or remission of a fee, that provision is to be read for the purposes of this Order as enabling the registrar to exercise the discretion.

(4) The determination of an application made to the registrar under paragraph (2), or any work done under paragraph (3), is to be treated for the purposes of this Order as work which is ancillary to the proceedings in which the application is made or work is done; and the fee provided for by this Order for ancillary work in proceedings of that kind is payable to the registrar.

(5) Where a person is entitled to an exemption from or reduction in, or remission or part remission of, a fee provided for by this Order, the diocesan board of finance for the diocese concerned must pay the amount which would be payable were it not for the exemption, reduction or remission.

(6) The reasonable costs of the registrar in the determination of an application under paragraph (2) are payable by the diocesan board of finance.

(7) In this article, “diocesan board of finance”, in relation to a diocese, means the board of that name constituted under the Diocesan Boards of Finance Measure 1925⁽²⁾.

(1) [2003 c. 39](#). Relevant amendments have been made by the Constitutional Reform Act 2005. The Order currently in force under section 92 is the Civil Proceedings Fees Order 2008 ([S.I. 2008/1053](#)) and the relevant provision of that Order is Schedule 2, as substituted by [S.I. 2013/2302](#) and amended by [S.I. 2014/590](#), [S.I. 2014/1834](#), [S.I. 2016/211](#), [S.I. 2016/1191](#) and [S.I. 2017/422](#).

(2) [15 & 16 Geo. 5 No. 3](#). Relevant amendments have been made by the Synodical Government Measure [1969 \(No. 2\)](#).