STATUTORY INSTRUMENTS

# 2016 No. 1191 (L. 19)

# SENIOR COURTS OF ENGLAND AND WALES COUNTY COURT, ENGLAND AND WALES

## The Civil Proceedings Fees (Amendment) Order 2016

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| *Made - - - -* | *6th December 2016* |
| *Laid before Parliament* | *8th December 2016* |
| *Coming into force - -* | *6th March 2017* |

The Lord Chancellor, with the consent of the Treasury, makes the following Order in exercise of the powers conferred by sections 92(1) and (2) and 108(6) of the Courts Act 2003(**1**) ("the 2003 Act").

The Lord Chancellor has had regard to the principle referred to in section 92(3) of the 2003 Act.

The Lord Chancellor has consulted in accordance with section 92(5) and (6) of the 2003 Act.

### Citation and commencement

**1.** This Order may be cited as the Civil Proceedings Fees (Amendment) Order 2016 and comes into force on 6th March 2017.

### Amendments to the Civil Proceedings Fees Order 2008

**2.**—(1) The Civil Proceedings Fees Order 2008(**2**) is amended as follows.

(2) In article 2, for "Supreme Court", substitute "Senior Courts of England and Wales".

(3) In the table in Schedule 1(**3**) (fees to be taken), for fee 2.1, for the entries in both columns, substitute—

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| "2.1 On the court fixing a trial date or trial period for a case allocated to: | |

(**1**) 2003 c. 39; section 92 was amended by paragraph 345 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4), paragraph 4(1) and (3) of Schedule 11 to that Act, paragraph 95 of Schedule 10 to the Crime and Courts Act 2013 (c. 22), and paragraph 40(a) of Schedule 9 to that Act. Section 108(6) was amended by paragraphs 308 and 348 of Schedule 4 to the Constitutional Reform Act 2005.

(**2**) S.I. 2008/1053, as amended by S.I. 2013/734, 2013/2302, 2014/874, 2014/1834, 2014/2059, 2015/576, 2016/402, 2016/434 and 2016/807.

(**3**) Schedule 1 was substituted by S.I. 2014/874 and amended by S.I. 2014/1834, 2014/2059, 2015/576, 2016/402, 2016/434 and 2016/807.

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| (a) the multi-track; | £1,090 |
| (b) the fast track; | £545 |
| (c) the small claims track where the sum claimed: | |
| (i) does not exceed £300; | £25 |
| (ii) exceeds £300 but does not exceed £500; | £55 |
| (iii) exceeds £500 but does not exceed £1,000; | £80 |
| (iv) exceeds £1,000 but does not exceed £1,500; | £115 |
| (v) exceeds £1,500 but does not exceed £3,000; | £170 |
| (vi) exceeds £3,000. | £335 |
| Where notice of trial date or trial period is given by the court 36 days or more before the trial date or the Monday of the first week of the notified trial period, fee 2.1 is payable at least 28 days prior to the trial date or the Monday of the first week of the notified trial period. | |
| Where notice of trial date or trial period is given by the court less than 36 days before the trial date or the Monday of the first week of the notified trial period, fee 2.1 is payable within 7 days after the date on which such notice is given. | |
| Where the court gives notice of both a trial date and a trial period, the fee is payable by reference to the Monday of the first week of the notified trial period. | |
| Written notice is given on the date on which the notice is sent out from the court. Oral notice is given on the date on which the notice is communicated by the court. Where notice is both in written form and given orally, the notice is given on the date that the written notice is sent out from the court. | |
| Where an application for fee remission is refused in whole or in part, fee 2.1 (or the amount of the fee which remains unremitted) is payable either:<br><br>(a) within 7 days after the court giving notice of refusal of fee remission (or refusal in part); or<br><br>(b) at least 28 days prior to the trial date or the Monday of the first week of the notified trial period, | |