1958 No. 2154 (L. 16)

The County Court Fees (Amendment No. 2) Order, 1958

Made - - - - 17*th December,* 1958
Laid before Parliament 22*nd December,* 1958
Coming into Operation 12*th January,* 1959

The Lord Chancellor and the Treasury, in pursuance of the powers and authorities vested in him and them respectively by section 167 of the County Courts Act, 1934(a), section 2 of the Public Offices Fees Act, 1879(b), and section 365 of the Companies Act, 1948(c), do hereby, according as the provisions of the above-mentioned enactments respectively authorise and require him and them, make, concur in, and sanction the following Order:—

1. This Order may be cited as the County Court Fees (Amendment No. 2) Order, 1958.

2. In this Order a fee referred to by number means the fee so numbered in the Table of Fees contained in the Schedule to the County Court Fees Order, 1949(d) as amended.

3. For paragraph (i) of Fee No. 1 there shall be substituted the following paragraph:—

" (i) for the recovery of a sum of money—

not exceeding £1					£2	...	...	3*s.*
exceeding £1	but not exceeding				£2	...	...	6*s.*
,, £2	,,	,,	,,		£3	...	...	9*s.*
,, £3	,,	,,	,,		£4	...	...	12*s.*
,, £4	,,	,,	,,		£5	...	...	15*s.*
,, £5	,,	,,	,,		£6	...	...	17*s.*
,, £6	,,	,,	,,		£7	...	...	19*s.*
,, £7	,,	,,	,,		£8	...	...	21*s.*
,, £8	,,	,,	,,		£9	...	...	23*s.*
,, £9	,,	,,	,,		£10	...	...	25*s.*
,, £10	,,	,,	,,		£11	...	...	27*s.*
,, £11	,,	,,	,,		£12	...	...	29*s.*
,, £12	,,	,,	,,		£13	...	...	31*s.*
,, £13	,,	,,	,,		£14	...	...	33*s.*
,, £14	,,	,,	,,		£15	...	...	35*s.*
,, £15	,,	,,	,,		£16	...	...	36*s.*
,, £16	,,	,,	,,		£17	...	...	37*s.*
,, £17	,,	,,	,,		£18	...	...	38*s.*
,, £18	,,	,,	,,		£19	...	...	39*s.*
,, £19	,,	,,	,,		£20	...	...	40*s.*
,, £20	,,	,,	,,		£21	...	...	41*s.*
,, £21	,,	,,	,,		£22	...	...	42*s.*
,, £22	,,	,,	,,		£23	...	...	43*s.*
,, £23	,,	,,	,,		£24	...	...	44*s.*
,, £24	,,	,,	,,		£25	...	...	45*s.*

(a) 24 & 25 Geo. 5. c. 53. (b) 42 & 43 Vict. c. 58. (c) 11 & 12 Geo. 6. c. 38.
(d) S.I. 1949/2230 (1949 I, p. 1202).

exceeding	£25	but	not	exceeding	£26	...	...	46*s.*
,,	£26	,,	,,	,,	£27	...	...	47*s.*
,,	£27	,,	,,	,,	£28	...	...	48*s.*
,,	£28	,,	,,	,,	£29	...	...	49*s.*
,,	£29	,,	,,	,,	£30	...	...	50*s.*
,,	£30	,,	,,	,,	£31	...	...	51*s.*
,,	£31	,,	,,	,,	£32	...	...	52*s.*
,,	£32	,,	,,	,,	£33	...	...	53*s.*
,,	£33	,,	,,	,,	£34	...	...	54*s.*
,,	£34	,,	,,	,,	£35	...	...	55*s.*
,,	£35	,,	,,	,,	£36	...	...	56*s.*
,,	£36	,,	,,	,,	£37	...	...	57*s.*
,,	£37	,,	,,	,,	£38	...	...	58*s.*
,,	£38	,,	,,	,,	£39	...	...	59*s.*
,,	£39	,,	,,	,,	£100	...	...	60*s.*
,,	£100	...	...	...	...	...	...	80*s.*

Where a sum of money is claimed as an alternative to a claim for another sum of money, this fee is to be calculated on whichever sum is the greater.

Where a sum of money is claimed in addition to another sum of money, then for the purpose of calculating this fee the additional sum is to be added to the sum on which this fee would otherwise be calculated."

4. The heading to Fee No. 28 A shall be amended so as to read "*The Maintenance Orders Acts,* 1950 *and* 1958" and the following amendments shall be made in that fee:—

(*a*) In paragraph (i) after the words "section 16" there shall be inserted the words "of the Act of 1950 or section 2 of the Act of 1958".

(*b*) In paragraph (ii) after the words "section 22 (5)" there shall be inserted the words "of the Act of 1950".

(*c*) The following paragraph shall be added after paragraph (ii):—

"(iii) On an application under section 6 of the Act of 1958 for an attachment of earnings order	10*s.*
Fee No. 28 *A* (*iii*) *is not payable where an attachment of earnings order is made on the hearing of a judgment summons."*	

5. Articles 1, 2 and 3 of this Order shall come into operation on the 12th day of January, 1959, and Article 4 shall come into operation on the 16th day of February, 1959.

Dated this 17th day of December, 1958.

Kilmuir, C.

Martin Redmayne
R. Brooman-White } Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order substitutes a new scale of plaint fees for that contained in the County Court Fees Order, 1949, as amended, and prescribes the fees payable on applications under the Maintenance Orders Act, 1958.