STATUTORY INSTRUMENTS

2025 No. 1126

COUNTY COURT, ENGLAND AND WALES

MENTAL CAPACITY, ENGLAND AND WALES

SENIOR COURTS OF ENGLAND AND WALES

The Court and Public Guardian Fees (Miscellaneous Amendments) Order 2025

Made - - - - at 12:45 p.m. on 27th October 2025

Laid before Parliament 27th October 2025

Coming into force in accordance with article 2

The Lord Chancellor makes this Order in exercise of the powers conferred by—

(a) section 415 of the Insolvency Act 1986(**a**),

(b) section 92 of the Courts Act 2003(**b**),

(c) section 58(3) and (4) of the Mental Capacity Act 2005(**c**), and

(d) section 180(1) of the Anti-social Behaviour, Crime and Policing Act 2014(**d**).

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

The Lord Chancellor has obtained the sanction of the Treasury in accordance with section 415(1) of the Insolvency Act 1986.

The Lord Chancellor has obtained the consent of the Treasury in accordance with section 92(1) of the Courts Act 2003 and section 180(1) of the Anti-social Behaviour, Crime and Policing Act 2014.

The Lord Chancellor has consulted the Lady Chief Justice, the Master of the Rolls, the President of the King's Bench Division, the President of the Family Division, the Chancellor of the High

(**a**) 1986 c. 45, amended by the Corporate Insolvency and Governance Act 2020 (c. 12). There are other amendments but none is relevant.
(**b**) 2003 c. 39, amended by the Constitutional Reform Act 2005 (c. 4). There are other amendments but none is relevant.
(**c**) 2005 c. 9.
(**d**) 2014 c. 12.

Court, the Head of Civil Justice, the Deputy Head of Civil Justice and the Civil Justice Council in accordance with section 92(5) and (6) of the Courts Act 2003.

Citation and extent

1.—(1) This Order may be cited as the Court and Public Guardian Fees (Miscellaneous Amendments) Order 2025.

(2) This Order extends to England and Wales.

Commencement

2.—(1) This Order comes into force on 17th November 2025, subject as follows.

(2) Article 6(1) comes into force at the same time as section 61(1) of the Victims and Prisoners Act 2024(**a**) comes into force.

(3) Article 6(2) comes into force at the same time as section 62(1) of the Victims and Prisoners Act 2024 comes into force.

Fees payable in relation to non-contentious probate

3.—(1) The Non-Contentious Probate Fees Order 2004(**b**) is amended as follows.

(2) Before article 8 insert—

> **"Special exemption – emergency service personnel and armed forces**
>
> **7A.** No fee is payable on an application for a grant relating to an estate where reliefs apply under one of the following sections of the Inheritance Tax Act 1984(**c**)—
>
> (a) section 153A (death of emergency service personnel etc.);
>
> (b) section 154 (death on active service, etc.);
>
> (c) section 155A (death of constables and service personnel targeted because of their status).".

(3) In Schedule 1 for the entries relating to fee 8 (copy documents) substitute—

"**8 Copy documents**	
On a request for—	
(a) a copy of a document of a specific individual named in the request;	£16 (for each copy provided, whether or not as a certified copy)
(b) copies of documents of individuals not named in the request, where the copies are made available in electronic form.	£1.50 (for each copy made available, whether or not as a certified copy)".

(**a**) 2024 c. 21.
(**b**) S.I. 2004/3120, amended by S.I. 2019/1063, 2020/720, 2024/476, 2025/351. There are other amending instruments but none is relevant.
(**c**) 1984 c. 51, amended by the Armed Forces Act 2006 (c. 52) and the Finance Act 2015 (c. 11). There are other amendments but none is relevant.

Fees payable to the Public Guardian

4.—(1) The Public Guardian (Fees, etc) Regulations 2007(**a**) are amended as follows.

(2) In the Schedule—

(a) in the entry for "Fee for application to register an enduring power of attorney (regulation 4)" for "£82" substitute "£92";

(b) in the entry for "Fee for application to register a lasting power of attorney (regulation 5)" for "£82" substitute "£92";

(c) in the entry for "Reduced fee for repeat application to register a lasting power of attorney (regulation 5)" for "£41" substitute "£46".

Fees exemption for civil proceedings relating to insolvency and persons at risk of violence

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

(2) After article 3E insert—

"Exemption related to insolvency and persons at risk of violence

3F. No fee is payable in respect of an application for an order for non-disclosure of information under rule 20.2, 20.3, 20.4, 20.5 or 20.6 of the Insolvency (England and Wales) Rules 2016(**c**).".

Fees exemptions for civil proceedings relating to referrals of decisions to release prisoners on parole

6.—(1) In the Civil Proceedings Fees Order 2008, after article 3F (as inserted by article 5(2)) insert—

"Exemption related to referrals to High Court of decisions to release prisoners (life sentence) on parole

3G. No fee is payable for making a referral of a prisoner's case (life sentence) to the High Court under section 32ZAA(2) of the Crime (Sentences) Act 1997(**d**).".

(2) In the Civil Proceedings Fees Order 2008, after article 3G (as inserted by paragraph (1)) insert—

"Exemption related to referrals to High Court of decisions to release prisoners (fixed-term sentence) on parole

3H. No fee is payable for making a referral of a prisoner's case (fixed-term sentence) to the High Court under section 256AZBA(2) of the Criminal Justice Act 2003(**e**).".

(**a**) S.I. 2007/2051, amended by S.I. 2009/514, 2011/2189, 2017/503. There are other amending instruments but none is relevant.

(**b**) S.I. 2008/1053, amended by S.I. 2024/538. The insertion of article 3E by S.I. 2024/538 is a prospective amendment. There are other amendments but none is relevant.

(**c**) S.I. 2016/1024, to which there are amendments not relevant to these Regulations.

(**d**) 1997 c. 43. The insertion of section 32ZAA is a prospective amendment in section 61(1) of the Victims and Prisoners Act 2024 (c. 21).

(**e**) 2003 c. 44. The insertion of section 256AZBA is a prospective amendment in section 62(1) of the Victims and Prisoners Act 2024.

Signed on behalf of the Lord Chancellor

Sarah Sackman
Minister of State
23rd October 2025 Ministry of Justice

We consent

Stephen Morgan
Lilian Greenwood
At 12.45 p.m. on 27th October 2025 Two of the Lords Commissioners of His Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Non-Contentious Probate Fees Order 2004 (S.I. 2004/3120), the Public Guardian (Fees, etc) Regulations 2007 (S.I. 2007/2051) and the Civil Proceedings Fees Order 2008 (S.I. 2008/1053).

Article 3 exempts fees from being payable under the Non-Contentious Probate Fees Order 2004 in relation to emergency service personnel and armed forces personnel where inheritance tax reliefs apply. Article 3 also increases Fee 8 in Schedule 1 to that Order. Fee 8, which relates to requests for copies of documents, including grants or wills, is increased from £1.50 to £16, where the request is for a copy of a document of a specific individual named in the request.

Article 4 applies inflation-based increases to fees for applications relating to lasting and enduring powers of attorney in the Public Guardian (Fees, etc) Regulations 2007 from £82 to £92 and the fee to resubmit an application to register a lasting power of attorney from £41 to £46.

Article 5 exempts fees from being payable for applications relating to insolvency and persons at risk of violence under the Civil Proceedings Fees Order 2008.

Article 6 exempts fees from being payable for making referrals to the High Court of decisions to release prisoners on parole under the Civil Proceedings Fees Order 2008.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available at https://legislation.gov.uk or by writing to the Ministry of Justice, Fees Policy and Administrative Justice Team, 102 Petty France, Area 5.20, Westminster, London, SW1H 9AJ.

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