STATUTORY INSTRUMENTS

1975 No. 1399

MENTAL HEALTH

The Court of Protection (Amendment No. 2) Rules 1975

Made - - - -	18*th August* 1975
Laid before Parliament	29*th August* 1975
Coming into Operation	1*st October* 1975

The Lord Chancellor, in exercise of the powers conferred on him by sections 112 and 114 of the Mental Health Act 1959**(a)** and with the consent of the Treasury, hereby makes the following Rules:—

1. These Rules may be cited as the Court of Protection (Amendment No. 2) Rules 1975 and shall come into operation on 1st October 1975.

2.—(1) The Interpretation Act 1889**(b)** shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(2) In these Rules, "the principal Rules" means the Court of Protection Rules 1960**(c)**, as amended **(d)**, and these Rules shall be construed together with the principal Rules.

3. For rule 91(1) of the principal Rules there shall be substituted the following paragraph:—

"(1) There shall be payable in respect of the taxation of a bill of costs a fee of 5p for every £1 or fraction of £1 of the amount allowed."

4. In rule 92(1)(*a*) of the principal Rules, for the figures "£1" and "£2" there shall be substituted the figures "£2" and "£5" respectively.

5. For Part I of the Second Schedule to the principal Rules there shall be substituted the following:—

"PART I—FEES ON DOCUMENTS

1. (*a*) On an order	£4·00

(a) 1959 c. 72. **(b)** 1889 c. 63.
(c) S.I. 1960/1146 (1960 II, p. 1935).
(d) S.I. 1962/553, 1970/1783, 1973/791, 1975/1253 (1962 I, p. 529; 1970 III, p. 5788; 1973 I, p. 2506; 1975 II, p. 4265).

(*b*) For a copy of any document other than an authority or direction—

for a *photographic copy* of all or part of any document, for each photographic sheet	25p
for a *typewritten copy* of any document, for each page ...	50p

and for each page of any additional *carbon copy* of a typewritten copy bespoken, half the fee specified above."

Dated 4th August 1975.

Elwyn-Jones, C.

We concur,

Dated 18th August 1975.

Donald R. Coleman,

T. Pendry,

Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules make some minor amendments to the Court of Protection Rules 1960, as amended, to bring the fees specified in the Rules into line with those specified in the Supreme Court Fees Order 1975 (1975/1343), which will come into operation on 1st October 1975, and to abolish certain fees.

Rule 3 revises the fees payable on taxation.

Rule 4 increases the fees payable to officers attending as witnesses in civil proceedings.

Rule 5 increases the fees payable for copies of certain documents and abolishes certain fees chargeable on a certificate, authority or direction of the Court of Protection.

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