STATUTORY INSTRUMENTS

1973 No. 1993 (L.28)

DEEDS OF ARRANGEMENT

The Deeds of Arrangement Fees Order 1973

Made - - - 21*st November* 1973

Coming into Operation 1*st January* 1974

The Lord Chancellor, with the advice and consent of the Judges of the Supreme Court as to the court fees hereby fixed, and the Treasury, in exercise of the powers conferred on them by section 213 of the Supreme Court of Judicature (Consolidation) Act 1925(**a**), section 22(4) of the Administration of Justice Act 1925(**b**) and sections 2 and 3 of the Public Offices Fees Act 1879(**c**), hereby make and concur in the following Order:—

1.—(1) This Order may be cited as the Deeds of Arrangement Fees Order 1973 and shall come into operation on 1st January 1974.

(2) The Interpretation Act 1889(**d**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. In this Order, unless the context otherwise requires—

(*a*) "the Act" means the Deeds of Arrangement Act 1914(**e**), as amended by the Administration of Justice Act 1925, and "the Rules" means the Deeds of Arrangement Rules 1925(**f**), as amended (**g**),

"the bankruptcy fee" means the fee payable on a similar proceeding in bankruptcy under any order made under section 133(1) of the Bankruptcy Act 1914(**h**),

"the Supreme Court fee" means the fee payable on a similar document or proceeding under any order other than this one made under section 213 of the Supreme Court of Judicature (Consolidation) Act 1925;

(*b*) expressions used in this Order shall have the same meaning as in the Act or in the Rules;

(*c*) a section referred to by number means the section so numbered in the Act;

(*d*) a rule referred to by number means the rule so numbered in the Rules; and

(*e*) a fee referred to by number means the fee so numbered in the Schedule to this Order.

3.—(1) The fees set out in column 2 of the Schedule to this Order shall be taken in respect of the items in column 1 thereof, and the documents to be stamped shall be those prescribed in column 3 thereof.

(**a**) 1925 c. 49. (**b**) 1925 c. 28. (**c**) 1879 c. 58. (**d**) 1889 c. 63.
(**e**) 1914 c. 47. (**f**) S.R. & O. 1925/795 (Rev. V, p. 711: 1925, p. 210).
(**g**) S.R. & O. 1941/1253, S.I. 1962/297 (Rev. V, p. 711: 1941 I, p. 215; 1962 I, p. 286).
(**h**) 1914 c. 59.

(2) The fees in Part I of the Schedule to this Order shall be taken in the office of the Registrar of the Court, those in Part II by the Registrar and those in Part III by the Department of Trade and Industry.

(3) The fees shall be taken either by adhesive stamps or in cash.

(4) An adhesive stamp denoting payment of a fee shall be an adhesive stamp on which the word "Insolvency" has been printed.

4. The Order as to Fees for proceedings in connection with Deeds of Arrangement(**a**), the Deeds of Arrangement (Board of Trade) Fees Order 1925(**b**) and the Deeds of Arrangement (Board of Trade) Fees Amendment Order 1925(**c**) are hereby revoked save as to any fee or percentage due or payable before the commencement of this Order.

Dated 16th November 1973.

Hailsham of St. Marylebone, C.

Dated 21st November 1973.

Michael Jopling,

Hugh Rossi,

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

We consent.

Dated 15th November 1973.

Widgery, C. J.

Denning, M. R.

Reginald Goff, J.

(**a**) S.R. & O. 1914/1829 (Rev. V, p. 730: 1914 I, p. 503).
(**b**) S.R. & O. 1925/818 (Rev. V, p. 732: 1925, p. 231).
(**c**) S.R. & O. 1925/953 (Rev. V, p. 732: 1925, p. 234).

SCHEDULE

Article 3

Column 1	*Column* 2	*Column* 3
PART I	£	
1. On an application under section 11(1) to give security under a deed of arrangement, for taking security and giving certificate—		
(*a*) where the estimated assets available for distribution amongst the unsecured creditors, as shown by the affidavit filed on registration, are less than £100;	0·50	The application
(*b*) otherwise.	1	The application
2. (*a*) On an application to the court for extension of time under section 3(1) or 3(4);	The bankruptcy fee	The application
(*b*) on an application by a creditor for a declaration under section 11(2), or an order under section 16; and	The bankruptcy fee	The application
(*c*) on an application by any person under section 23.	The bankruptcy fee	The application
3. On any other document or proceeding not otherwise provided for in this part of this Schedule.	The Supreme Court fee	The document or any document relating to the proceeding
PART II	£	
4. On filing with the Registrar a deed where the total estimated amount of property included therein or the total amount of composition thereunder appears from the affidavit of the debtor to be—		
(*a*) £1,000 or less;	3·00	The copy deed
(*b*) over £1,000 and not over £2,500;	5·00	The copy deed
(*c*) over £2,500 and not over £5,000;	8·00	The copy deed
(*d*) over £5,000.	10·00	The copy deed
5. On filing with the Registrar any deed not covered by Fee No. 4.	4·00	The copy deed
6. On a certificate of registration of an original deed endorsed thereon.	0·50	The certificate
7. On filing with the Registrar a statutory declaration, affidavit or notice pursuant to the Act or Rules.	0·25	The declaration, affidavit or notice
8. On searching the register and on inspecting the filed copy, including taking the limited extract under section 9 and rule 9 (for every name inspected).	0·25	The search form.

PART III

	£	
9. On an account transmitted by a trustee under section 13—		
(*a*) where the gross amount of the assets realised and brought to credit, or of the composition distributed (in the case of a composition) during the period of account does not exceed £1,000, on every £100 or part thereof;	0·50	The account
(*b*) where the gross amount exceeds £1,000;	5·00	The account
and in addition for every £100 or part thereof exceeding £1,000.	0·25	The account
10. On an application to inspect the accounts of a trustee under section 13(3).	0·25	The application
11. On an application for an official audit of a trustee's accounts under section 15(1).	1·50	The application
12. On the audit of a trustee's accounts under section 15(1)—		
(*a*) where the amount brought to credit after deduction of the amount received and spent in carrying on the business, and of the amount paid to secured creditors out of the proceeds of their securities does not exceed £5,000, on every £100 or part thereof;	1·50	The account
(*b*) where the amount so brought to credit exceeds £5,000;	75·00	The account
and in addition for every £100 or part thereof exceeding £5,000.	0·75	The account
Note: The minimum fee for Fee No. 12(*a*) shall be £7·50, and in calculating Fee No. 12(*a*) or (*b*) credit shall be given for any amount paid for Fee No. 9.		
13. On copies of documents supplied—		
(*a*) per foolscap or A4 ISO page;	0·10	The copy
(*b*) all larger pages.	0·20	The copy.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order replaces the Order dated the 28th December 1914 as to Fees for proceedings in connection with Deeds of Arrangement and the Deeds of Arrangement (Board of Trade) Fees Order 1925. It abolishes the use of impressed stamps and increases the fees to be taken by the Registrar of Deeds of Arrangement and the Department of Trade and Industry in connection with these proceedings.

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