Draft Order laid before Parliament under section 180(7) of the Anti-social Behaviour, Crime and Policing Act 2014, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No. XXXX

SENIOR COURTS OF ENGLAND AND WALES

MAGISTRATES' COURTS, ENGLAND AND WALES

The Civil Proceedings and Magistrates' Courts Fees (Amendment) Order 2025

Made - - - - ***

Coming into force

The Lord Chancellor, with the consent of the Treasury, makes this Order in exercise of the powers conferred by section 92(1) and (2) of the Courts Act 2003(**a**) and section 180(1) of the Anti-social Behaviour, Crime and Policing Act 2014(**b**).

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.

In accordance with section 92(5) and (6) of the Courts Act 2003, the Lord Chancellor has consulted with 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 Court, the Head of Civil Justice, the Deputy Head of Civil Justice and the Civil Justice Council.

A draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament in accordance with section 180(7) of the Anti-social Behaviour, Crime and Policing Act 2014.

Citation, commencement and extent

1.—(1) This Order may be cited as the Civil Proceedings and Magistrates' Courts Fees (Amendment) Order 2025 and comes into force on the day after the day on which it is made.

(2) This Order extends to England and Wales.

(**a**) 2003 c. 39. Section 92 was amended by paragraph 345 of Schedule 4 and paragraph 4 of Schedule 11 to the Constitutional Reform Act 2005; there are other amendments not relevant to this Order.
(**b**) 2014 c. 12.

Amendments to the Civil Proceedings Fees Order 2008

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

(2) In the table in Schedule 1 (fees to be taken), in the entry for fee 11.2 (on the sale of a ship or goods)—

(a) in column 1 (number and description of fee) in the words before fee 11.2(a), for "£205" substitute "£205";

(b) in column 2 (amount of fee or manner of calculation)—

(i) for the entry corresponding to fee 11.2(a) (for every £100 or fraction of £100 of the price up to £100,000), for "£1" substitute "£1";

(ii) for the entry corresponding to fee 11.2(b) (for every £100 or fraction of £100 of the price exceeding £100,000), for "50p" substitute "50p".

Amendments to the Magistrates' Court Fees Order 2008

3.—(1) The Magistrates' Courts Fees Order 2008(**b**) is amended as follows.

(2) In the table in Schedule 1 (fees to be taken), in column 2 (amount of fee)—

(a) for the entry corresponding to fee 4.1 (proceedings under the Council Tax (Administration and Enforcement) Regulations 1992(**c**) or the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989(**d**) on an application for a liability order), for "50p" substitute "50p";

(b) for the entry corresponding to fee 9.1 (on an application for a warrant of entry), for "£22" substitute "£22".

On behalf of the Lord Chancellor

Name
Minister of State
Ministry of Justice

We consent

Name
Name
Two of the Lords Commissioners of His Majesty's Treasury

(**a**) S.I. 2008/1053 as amended by S.I. 2014/874. There are other amendments not relevant to this Order.
(**b**) S.I. 2008/1052 as amended by S.I. 2014/875, 2018/812 and 2021/985. There are other amendments not relevant to this Order.
(**c**) S.I. 1992/613.
(**d**) S.I. 1989/1058.

EXPLANATORY NOTE

(This note is not part of the Order)

By virtue of section 180(1) Anti-social Behaviour, Crime and Policing Act 2014 (c. 12) ("the Act"), the Lord Chancellor may, with the consent of the Treasury, prescribe certain court fees of an amount which is intended to exceed the cost of the matter in respect of which the fee is charged. Under section 180(7) of the Act the use of that power is subject to the affirmative Parliamentary procedure.

Article 2 of this Order amends the Civil Proceedings Fees Order 2008 (S.I. 2008/1053) by restating the value of the fee and the minimum fee on the sale of a ship or goods in the Admiralty jurisdiction of the High Court. Article 3 of this Order amends the Magistrates' Courts Fees Order 2008 (S.I. 2008/1052) by restating the value of the fee for an application for a liability order in proceedings under the Council Tax (Administration and Enforcement) Regulations 1992 (S.I. 1992/613) or the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 (S.I. 1989/1058) and by restating the value of the fee for an application for a warrant of entry. In each case, the fee value is restated in reliance on s. 180(1) of the Act, thereby authorising that the fee may recover an amount which exceeds the cost to His Majesty's Courts and Tribunals Service of processing such applications.

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