*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

# 2021 No. (L. )

# SENIOR COURTS OF ENGLAND AND WALES

# COUNTY COURT, ENGLAND AND WALES

## The Civil Proceedings Fees (Amendment) Order 2021

| | |
|---|---|
| *Made - - - -* | *** |
| *Laid before Parliament* | *** |
| *Coming into force - -* | *** |

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

The Lord Chancellor has had regard to the matters referred to in section 92(3) of the 2003 Act and section 180(3) of the 2014 Act.

In accordance with section 92(5) and (6) of the 2003 Act, the Lord Chancellor has consulted the Lord Chief Justice, the Master of the Rolls, the President of the Queen'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 the Order was laid before Parliament and approved by resolution of each House of Parliament in accordance with section 180(7) of the 2014 Act.

**Citation, commencement and extent**

**1.**—(1) This Order may be cited as the Civil Proceedings Fees (Amendment) Order 2021 and comes into force on the day after the day on which it is made.

(2) This Order extends to England and Wales.

**Amendment to the Civil Proceedings Fees Order 2008**

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

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(**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 (c. 4) and by paragraph 40(a) of Schedule 9 and paragraph 95 of Schedule 10 to the Crime and Courts Act 2013 (c. 22).

(**b**) 2014 c.12

(**c**) S.I. 2008/1053; relevant amending instruments are S.I. 2013/2302, S.I. 2014/874, S.I. 2015/576 and S.I. 2016/402 and 807.

(2) Omit article 1(2)(a).

(3) In article 5(2)(a), for "1.2" substitute "1.1".

(4) In the table in Schedule 1 (fees to be taken)—

(a) in the entry for fee 1.1, in column 1 omit "but excluding CCBC cases brought by Centre users or cases brought by Money Claim OnLine users";

(b) omit the entire entry for fee 1.2 (but not the notes below that entry);

(c) in the notes below fee 1.2, in column 1 omit the heading "Fees 1.1 and 1.2" which appears immediately above the text which starts "Where the claimant is making a claim for interest on a specified sum of money";

(d) in the entry for fee 1.4(b), in column 1 omit ", other than where fee 1.4(c) applies";

(e) omit the entry for fee 1.4(c);

(f) in the entry for fee 8.1—

(i) in column 2, insert "£83"; and

(ii) omit fees 8.1(a) and (b); and

(g) in the entry for fee 8.2, in column 1 omit "and CCBC cases brought by Centre Users".

*Name*
Parliamentary Under Secretary of State
Ministry of Justice

Date

We consent

*Name*
*Name*
Two of the Lords Commissioners of Her Majesty's Treasury

Date

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Civil Proceedings Fees Order 2008 (S.I. 2008/1053).

Article 2(2) removes a definition which is no longer required and article 2(3) amends a cross reference in consequence of the changes to Schedule 1.

Article 2(4) makes amendments to Schedule 1 to align certain fees by removing provisions which set a separate fee or give an exemption for processes carried out through online platforms.

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 from the Ministry of Justice, 102 Petty France, London, SW1H 9AJ and is published with an Explanatory Memorandum alongside the instrument on https://legislation.gov.uk.

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