STATUTORY INSTRUMENTS

2004 No. 2103 (L. 14)

FAMILY PROCEEDINGS, ENGLAND AND WALES

SUPREME COURT OF ENGLAND AND WALES

COUNTY COURTS, ENGLAND AND WALES

The Family Proceedings Fees (Amendment) Order 2004

Made - - - -	*4th August 2004*
Laid before Parliament	*9th August 2004*
Coming into force - -	*31st August 2004*

The Lord Chancellor, in exercise of the powers conferred upon him by section 41 of the Matrimonial and Family Proceedings Act 1984(**a**), with the concurrence of the Treasury, makes the following Order.

1. This Order may be cited as the Family Proceedings Fees (Amendment) Order 2004 and shall come into force on 31st August 2004.

2. In article 4(2)(b) of the Family Proceedings Fees Order 1999(**b**)—

(a) for sub-paragraph (i) substitute—

"(i) child tax credit is being paid to the party, or otherwise following a claim for child tax credit made jointly by the members of a married couple or an unmarried couple (as defined respectively in section 3(5) and (6) of the Tax Credits Act 2002(**c**)) which includes the party; or" and

(b) for "£14,213" substitute "£14,600".

Falconer of Thoroton, C

Date 25th July 2004

We concur

John Heppell
Joan Ryan

Date 4th August 2004 — Two of the Lords Commissioners of Her Majesty's Treasury

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(**a**) 1984 c.42.
(**b**) S.I. 1999/690; relevant amending instruments are S.I. 1999/2549 and 2003/719.
(**c**) 2002 c.21.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 4(2)(b) of the Family Proceedings Fees Order 1999 (S.I. 1999/690), which provides that working tax benefit is a qualifying benefit leading to exemption from court fees, as long as either child tax credit is being paid or there is a disability or severe disability element, and the gross annual income for the purposes of the working tax credit is below a given threshold. The amendments made by this Order:

(a) provide that the child tax credit need not be received by the party seeking exemption from court fees, as long as it is being paid in respect of a claim for child tax credit made jointly by the party and his spouse or partner; and

(b) increase the income threshold from £14,213 to £14,600.

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