1966 No. 149

ECCLESIASTICAL LAW

The Legal Officers Fees (Ecclesiastical Jurisdiction) Order 1966

Made (Approved by the Church Assembly)	*15th February* 1966
Laid before Parliament	*22nd February* 1966
Coming into Operation	*1st March* 1966

We, the Fees Committee, constituted in accordance with the provisions of section 1 of the Ecclesiastical Fees Measure 1962(**a**), in the exercise of the powers conferred by that section and by section 63 of the Ecclesiastical Jurisdiction Measure 1963(**b**), do hereby order as follows :—

1. The fees set out in the second column of the Schedule to this Order shall be paid in respect of the items set out in the first column of the said Schedule by the persons named in that first column as paying them and shall be paid to the persons named in that first column as the persons to whom they are paid.

2. Where under Part II of the Schedule the registrar of a court is to be paid a fee for a hearing (including a hearing following upon an interlocutory application) he shall be paid an additional fee of £5 for each of the following persons present at the hearing for each day or part of the day on which the hearing takes place—

A judge of the Court of Ecclesiastical Causes Reserved or a Commission of Review who is not at the time of the hearing a diocesan bishop,

An adviser selected either under section 45 or section 48 of the Measure who is not at the time of the hearing a diocesan bishop,

and the registrar of the court shall pay to any such person in respect of whose presence he receives such additional fee such sum for meeting the expenses of such person on attending the hearing as such person shall reasonably require.

3. In this Order, unless the context otherwise requires :—

(1) " the Measure " means the Ecclesiastical Jurisdiction Measure 1963 ;

(2) a rule referred to by number means in Part I of the Schedule the rule so numbered in the Ecclesiastical Jurisdiction (Discipline) Rules 1964(**c**), and in Part II of the Schedule the rule so numbered in the Ecclesiastical Jurisdiction (Faculty Appeals) Rules 1965(**d**).

4. This Order may be cited as the Legal Officers Fees (Ecclesiastical Jurisdiction) Order 1966 and shall come into operation on the first day of March 1966.

Dated the thirty-first day of December 1965.

Conolly H. Gage.
J. R. Cumming Bruce.
G. G. Hartwright.

Approved by the Church Assembly the fifteenth day of February 1966.

John Guillum Scott,
Secretary.

(**a**) 1962 No. 1.
(**b**) 1963 No. 1.
(**c**) S.I. 1964/1755 (1964 III, p. 3856).
(**d**) S.I. 1965/251 (1965 I, p. 604).

SCHEDULE

PART I

FEES PAYABLE IN CONNECTION WITH DEPOSITION OR WITH DEPRIVATION CONSEQUENT UPON CERTAIN PROCEEDINGS IN SECULAR COURTS

Item	*Fee* £ s. d.
1. To be paid to registrar by bishop on notice being served on priest or deacon of intention to depose him from Holy Orders under rule 49(1)	15 0 0
2. To be paid to provincial registrar by archbishop on notice of appeal being lodged under rule 50(1)	20 0 0
3. To be paid to registrar by bishop on carrying out his duty or exercising his discretion following upon proceedings referred to in section 55 of the Measure	10 0 0
4. To be paid to provincial registrar by archbishop on carrying out his duty or exercising his discretion following upon proceedings referred to in section 55 or section 56 of the Measure	10 0 0

PART II

FEES PAYABLE IN CONNECTION WITH APPEALS IN FACULTY CASES

Item	*Fee* £ s. d.
1. To be paid to registrar by applicant on application to determine the Court to which appeal lies under rule 3 :—	
If made immediately after the giving of judgment	1 0 0
If made by notice in writing	
For chancellor	2 2 0
For registrar	1 5 0
2. To be paid to registrar by applicant after application by notice in writing under rule 3(3) on notice of time and place of hearing being given by registrar under rule 3(4)	
For chancellor	3 3 0
For registrar	1 15 0
3. To be paid to registrar of diocese by appellant on lodging appeal under rule 4	10 0 0
4. To be paid to registrar of appellate court by appellant on lodging appeal under rule 4	5 0 0
5. To be paid to registrar of diocese by party applying other than appellant on application for a signed copy of the chancellor's note under rule 4(7)	1 0 0
6. To be paid to registrar of appellate court by appellant on receiving notice of hearing of the appeal under rule 7	
For dean of the arches and auditor if hearing appeal ...	31 10 0
For registrar	15 15 0
7. To be paid to registrar of appellate court by appellant for any day or part of a day beyond one that the hearing lasts	
For dean of the arches and auditor if hearing appeal ...	31 10 0
For registrar	15 15 0

Item	*Fee* £ s. d.
8. To be paid to clerk of the Crown in Chancery by petitioner on lodging petition for review under rule 9	
For registrar of Court of Ecclesiastical Causes Reserved ...	10 0 0
9. To be paid to the registrar of Court of Ecclesiastical Causes Reserved by party applying other than petitioner on application for a signed copy of note of presiding judge under rule 9(7)	1 0 0
10. To be paid to registrar of appellate court by applicant on lodging interlocutory application under rule 11(2)	1 0 0
11. To be paid to registrar of appellate court by applicant if notice of hearing given under rule 11(4)	2 0 0
12. To be paid to registrar of appellate court by appellant on lodging notice of appeal under rule 11(6)	
For dean of the arches and auditor if hearing the appeal ...	10 10 0
For registrar	2 0 0

PART III

FEES PAYABLE ON THE TAXATION OF COSTS IN DISCIPLINE AND FACULTY APPEAL CASES

Item	*Fee* £ s. d.
1. To be paid to registrar by party applying for taxation on lodging application	1 0 0
2. To be paid to registrar by party applying on taxation of a bill of costs—	
(*a*) where the amount allowed does not exceed £5	5 0
(*b*) where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction of £1 ...	1 0
(*c*) where the amount allowed exceeds £100	
(i) for the first £100	5 0 0
(ii) for every £2 or fraction thereof over £100 ...	1 0

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for fees for matters arising under the Ecclesiastical Jurisdiction Measure 1963 in connection with deposition, deprivation consequent upon certain proceedings in secular courts, faculty appeals and the taxation of costs.