STATUTORY INSTRUMENTS

1978 No. 1256 (L. 31)

MATRIMONIAL CAUSES

SUPREME COURT OF JUDICATURE, ENGLAND

COUNTY COURTS

The Matrimonial Causes Fees (Amendment) Order 1978

Made - - - *9th August* 1978

Coming into Operation *2nd October* 1978

The Lord Chancellor and the Treasury, in exercise of the powers conferred on them by section 51 of the Matrimonial Causes Act 1973(**a**) and sections 2 and 3 of the Public Offices Fees Act 1879(**b**), hereby make and concur in the following Order:—

1. This Order may be cited as the Matrimonial Causes Fees (Amendment) Order 1978 and shall come into operation on 2nd October 1978.

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

3. The Matrimonial Causes Fees Order 1975(**d**) as amended(**e**) shall be further amended as follows:—

(1) In Article 2—

(*a*) in paragraph (1)(*c*) for the words "County Court Fees Order 1975" there shall be substituted the words "County Court Fees Order1978(**f**)";

(*b*) in paragraph (1)(*d*) after "1975" there shall be inserted the words "as amended by the Supreme Court Fees (Amendment) Orders 1976 and 1978" (**g**).

(2) In Schedule 1, for the figures "16·00" in Fee No. 2, there shall be substituted the figures "20·00".

(**a**) 1973 c. 18.
(**b**) 1879 c. 58.
(**c**) 1889 c. 63.
(**d**) S.I. 1975/1346.
(**e**) S.I. 1977/346.
(**f**) S.I. 1978/1243.
(**g**) S.I. 1976/1506, 1978/1244.

(3) For Schedule 2 there shall be substituted the following Schedule:—

"SCHEDULE 2

FEES TO BE TAKEN IN SPECIFIED MATRIMONIAL PROCEEDINGS

	Fee	*Proceedings in which fee is to be taken*
1.	C.C. Fees Nos. 2*, 3(i), 4(i) (other than in respect of a warrant of delivery), 4(ii), 4(v), 4(vii), 5, 6† and 7.	Proceedings in a divorce county court.
2.	C.C. Fee No. 4(iii)	Proccedings in a divorce county court other than the divorce registry.
3.	C.C. Fee No. 4(vi) S.C. Fee No. 55	All proceedings whether in the High Court or a divorce county court.
4.	S.C. Fees Nos. 5, 11, 35, 36, 38†, 39†, 40, 41, 42, 49, 50 and 58.	Proceedings in the Supreme Court.

Notes:

*This fee is payable only in respect of documents requiring personal service.
†This fee does not apply to a copy in respect of which Fee No. 6 in Schedule 1 is payable."

Dated 4th August 1978. *Elwyn-Jones*, C.

Dated 9th August 1978. *A. W. Stallard,*
Peter Snape,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order amends the Matrimonial Causes Fees Order 1975 by increasing the fee payable on the presentation of a petition to £20. It also makes consequential amendments in other fees to take into account the changes made by the County Court Fees Order 1978 and the Supreme Court Fees (Amendment) Order 1978.

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