STATUTORY INSTRUMENTS

2021 No. 1451 (L. 20)

SENIOR COURTS OF ENGLAND AND WALES

The Non-Contentious Probate Fees (Amendment) Order 2021

Made - - - -	*8th December 2021*
Laid before Parliament	*16th December 2021*
Coming into force - -	*26th January 2022*

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**).

In accordance with section 92(5) and (6) of that 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.

Citation, commencement and extent

1.—(1) This Order may be cited as the Non-Contentious Probate Fees (Amendment) Order 2021.

(2) This Order comes into force on 26th January 2022.

(3) This Order extends to England and Wales.

Amendment of the Non-Contentious Probate Fees Order 2004

2.—(1) The table in Schedule 1 (fees to be taken) to the Non-Contentious Probate Fees Order 2004(**b**) is amended as follows.

(2) In the entry for fee 1 (application for a grant), for the amount in column 2 substitute "£273".

(3) Omit the entry for fee 2 (personal application fee).

James Cartlidge
Parliamentary Under Secretary of State
Ministry of Justice

8th December 2021

We consent

Craig Whittaker
Rebecca Harris
Two of the Lords Commissioners of Her Majesty's Treasury

3rd December 2021

(**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**) S.I. 2004/3120. The relevant amending instruments are S.I. 2011/588 and S.I. 2014/876.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Non-Contentious Probate Fees Order 2004 (S.I. 2004/3120).

It increases the fee payable on the application for a grant of probate to £273 for all applicants and, accordingly, also deletes the personal application fee.

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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