STATUTORY INSTRUMENTS

1963 No. 1944 (L. 14)

INFERIOR COURT, ENGLAND

The Salford Hundred Court of Record (Amendment) Rules 1963

Made - - - - 18*th November* 1963
Coming into Operation 1*st January* 1964

We, the Rule Committee of the Salford Hundred Court of Record, hereby make the following Rules:—

1. An Order and Rule referred to by number in these Rules means the Order and Rule so numbered in the Salford Hundred Court Rules 1935(a) as amended(b).

2. The whole of Order LXV and Appendix N and Appendix O shall be revoked and the following Order and Appendices substituted therefor:—

ORDER LXV

Costs

Costs to be in the discretion of the Court

1. Subject to the provisions of the Acts and these Rules, the costs of and incident to all proceedings in the Court shall be in the discretion of the Registrar or the Judge.

Security for costs

2. In any action or proceeding in which security for costs is required, the security shall be of such amount, and be given at such times, and in such manner and form, as the Registrar or the Judge shall direct.

Security for costs by plaintiff temporarily in England or Wales

3. A plaintiff ordinarily resident out of England and Wales may be ordered to give security for costs, though he may be temporarily resident in England or Wales.

Bond as security for costs

4. Where a bond is to be given as security for costs, it shall, unless the Registrar or the Judge shall otherwise direct, be given to the party or person requiring the security, and not to an Officer of the Court.

Application of Scales

5.—(1) For the regulation of solicitor's charges and disbursements other than Court fees there shall be four Scales, namely Scale 1, Scale 2, Scale 3, and Scale 4.

(a) Order of the Chancellor of the Duchy of Lancaster dated 6th December 1934.
(b) Order of the Chancellor of the Duchy of Lancaster dated 30th June 1939; S.I. 1950/263, 1952/2290, 1955/1295 (1950 II, p. 841; 1952 III, p. 2927; 1955 I, p. 1032).

(2) The Scale of Costs applicable to a sum of money only shall be as follows :—

Sum of Money	Scale Applicable
Exceeding £2 and not exceeding £10	Scale 1
Exceeding £10 and not exceeding £30	Scale 2
Exceeding £30 and not exceeding £100.	Scale 3
Exceeding £100	Scale 4

(3) Where the sum of money does not exceed £2, no Solicitor's charges shall be allowed unless a certificate is granted under Rule 6 of this Order.

(4) In addition to the disbursements shown in the scales the appropriate court fees shall be allowable.

Difficult question of law or fact

6. In any proceedings in which the Judge certifies that a difficult question of law or a question of fact of exceptional complexity is involved, he may award costs on such scale as he thinks fit.

Recovery of money

7. Subject to Rules 6, 8 and 9 of this Order, the Scale of Costs in an action for the recovery of a sum of money only shall be determined :—

(*a*) as regards the costs of the plaintiff, by the amount recovered ; and

(*b*) as regards the costs of the defendant, by the amount claimed ; and

(*c*) as regards costs payable to a third party, by the amount claimed against him ; and

(*d*) as regards costs payable by a third party, by the amount recovered against him.

Counterclaim

8.—(1) Subject to the next succeeding paragraph, Rule 7 of this Order shall apply to a counterclaim as it applies to a claim.

(2) Where in one action a claim for a sum of money only and a counterclaim for a sum of money only are tried—

(*a*) if the plaintiff is awarded costs on both claim and counterclaim, the costs shall be on the scale applicable to the amount which the plaintiff recovers on the claim, but if such amount is less than the counterclaim, the costs subsequent to the delivery of the counterclaim shall be on the scale applicable to the amount of the counterclaim ; and

(*b*) if the defendant is awarded costs on both claim and counterclaim the costs shall be on the scale applicable to the amount which the defendant recovers on the counterclaim or the amount of the plaintiff's claim, whichever is the larger, but the costs prior to the delivery of the counterclaim shall be on the scale applicable to the amount of the claim :

Provided that the costs of work done solely in connection with the claim shall be on the scale applicable to the claim, and the costs of work done solely in connection with the counterclaim shall be on the scale applicable to the counterclaim.

Where money paid into Court

9.—(1) Where money in Court is accepted in satisfaction of the cause of action in respect of which it was paid, and another cause of action remains to be tried, then the costs subsequent to the date of the payment into Court shall, unless the Judge or the Registrar when taxing or fixing and allowing the costs, otherwise directs, be determined by the amount recovered or claimed in respect of the cause of action remaining to be tried.

(2) Where money is paid into Court and the plaintiff does not accept it in satisfaction of his claim or of the cause or causes of action in respect of which it was paid, the costs incurred after the date of the payment into Court shall be on the scale which would have been applicable if no money had been paid into Court, or on such lower scale as the Judge, or the Registrar when taxing or fixing and allowing costs, may determine having regard to any saving of expense effected by reason of the payment into Court.

(3) Paragraph (2) of this Rule shall apply where money is paid to the plaintiff in satisfaction or on account of the plaintiff's claim as it applies where money is paid into court.

(4) Nothing in this Rule shall limit the discretion of the Judge as to Scale in a case to which Rule 11 of this Order applies.

Garnishee proceedings

10. Subject to Rule 9 of Order XLV and Rule 6 of this Order, the Scale of Costs in garnishee proceedings shall be determined—

(*a*) as regards the costs of the judgment creditor by the amount recovered against the garnishee; and

(*b*) as regards the costs of the garnishee or the judgment debtor, by the amount claimed by the judgment creditor.

Other proceedings

11.—(1) In any proceedings to which Rules 7, 8 and 10 of this Order do not apply, the Judge may award costs on such Scale as he thinks fit:

Provided that, where notice of discontinuance has been given in respect of the proceedings, the Registrar shall have power on taxation to determine the Scale on which costs shall be taxed.

(2) Where any party desires to make an application to the Judge to determine the Scale on which costs are to be taxed Rule 16(4) of this Order shall apply to the application as it applies to an application under paragraph (1), (2) or (3) of the last-mentioned Rule.

Discretionary increases

12. All charges or disbursements which are discretionary shall, unless otherwise provided, be allowed at the discretion of the Registrar, who, in the exercise of such discretion shall take into consideration the other charges and disbursements to the solicitor and counsel, if any, in respect of the work to which the fee or allowance applies, the nature and importance of the action or proceeding, the amount involved, the interest of the parties, the general conduct and costs of proceedings and all other circumstances.

Allowance or disallowance of items by the Judge or Registrar

13.—(1) The Judge may in any action or proceeding direct the Registrar to allow or disallow on taxation any item in the Scales of Costs.

(2) Subject to any direction of the Judge, no item in the Scales of Costs shall be allowed on taxation if the Registrar is of opinion that it was not necessary to do the work or incur the expense to which the item relates.

Counsel on Scale 1

14. Where costs are on Scale 1 no fee for counsel shall be allowed on taxation unless the Judge, or if the award of costs is made by the Registrar, the Registrar, certifies that the case is fit for counsel.

Counsel in interlocutory application

15. Where costs are on Scale 2, Scale 3 or Scale 4 no fee for counsel shall be allowed on taxation in respect of an interlocutory application, unless the Registrar or the Judge before whom the application is heard certifies that the application is fit for counsel.

Two or more counsel. Certificate for increased charges and fees

16.—(1) Where the costs of any proceedings are on Scale 3 or Scale 4 the Judge may certify that the proceedings are fit for the employment of more counsel than one.

(2) Where the costs of any proceedings are on Scale 2, Scale 3 or Scale 4, and the Judge is satisfied from the nature of the case or the conduct of the proceedings that the costs which may be allowed may be inadequate in the circumstances, he may direct that the Registrar on taxation shall not be bound by the amounts appearing in the Scale in respect of the items specified in the next succeeding paragraph.

(3) Where a direction has been given under the last preceding paragraph, the Registrar may, if he thinks fit, allow on taxation such larger sums as he thinks reasonable in respect of all or any of the following items namely:

items 1, 2, 3, 9, 10, 11, 12, 29, 31 and 32.

(4) An application for a certificate pursuant to the foregoing paragraphs of this Rule may be made at the hearing or on notice which shall be served on the party sought to be made liable within 7 days of the making of the order awarding costs or within 7 days of the receipt of notice of payment into court or of notice of discontinuance:

Provided that where an application which could have been made at the hearing is made subsequently, the Judge may refuse the application on the ground that it ought to have been made at the hearing.

Plans, photographs, etc.

17. There may be allowed for the preparation of any plan, drawing, chart, photograph or model, and of any copies thereof prepared, for the purpose of any action or proceeding, the sum reasonably paid for the same not exceeding, unless by order of the Judge, the sum appearing in the Scale on which the costs are being taxed:

Provided that in an action, of whatever nature, arising out of an accident on land due to a collision or apprehended collision, no sum shall be allowed in respect of a plan of the place where the accident happened, unless, at or before the trial, the court authorises the use thereof or the parties consent.

Where no provision in Scale

18. Where costs are taxed on Scale 2, Scale 3 or Scale 4 in an action or proceeding for which no provision is made in the Scale, reasonable costs may be allowed on taxation not exceeding those fixed by the Scale for proceedings of a similar nature.

Scale items only allowable

19. Subject to Rule 18 of this Order, no item shall be allowed on taxation between party and party which is not contained in the Scales.

Apportionment of costs

20. Where judgment is given with costs against two or more defendants separately, the Registrar may, subject to any direction of the Judge, apportion any item of costs between the defendants as he thinks fit.

Solicitor in person

21. Where a solicitor who is a party to any action or proceeding acts in person and is awarded costs, he shall be entitled on taxation to the same costs as if he had employed a solicitor, except in respect of items which the fact of his acting in person renders unnecessary.

Where counsel disallowed

22. Where a party appearing by counsel is awarded costs, but the costs of employing counsel are not allowed, he may be allowed such costs as he might have been allowed if he had appeared by a solicitor and not by counsel.

Compensation for loss of time

23. Where on the hearing of an action or proceeding a party to the action or proceeding or any other person attends the Court as a witness of fact, or as a witness producing a document, there may be allowed in respect of his attendance such sum as the Judge or Registrar thinks reasonable, not exceeding the sum prescribed in Column 2 of Schedule C in Appendix N for a person of the class to which he belongs:

Provided that the sum allowed shall not, unless the Court otherwise orders, exceed the sum prescribed in Column 1 of Schedule C in Appendix N where

(*a*) a witness or party has lost no wages, earnings or other income attending Court; or

(*b*) the period during which the witness has been away from home or in respect of which he has lost wages, earnings or other income by reason of his attendance does not exceed 4 hours.

Expert Witnesses

24.—(1) Where a person attends the Court as an expert witness or attends as a witness of fact and, being called upon to do so, gives in evidence his opinion as an expert, a fee may be allowed in respect of his attendance and in addition, if the Judge or Registrar thinks fit, a fee for qualifying to give evidence:

Provided that no fee as an expert witness may be allowed in respect of a person attending the Court only to prove the correctness of a plan, drawing, chart, photograph or model.

(2) Subject to paragraph (5) the fee for qualifying to give evidence shall be such sum as the Registrar thinks reasonable, not being more than 5 guineas, and the fee for attending the Court shall be such sum as the Registrar thinks reasonable, not being more than 10 guineas nor less than the sum appearing in Schedule C of Appendix N as compensation for loss of time for a person of the class to which the expert witness belongs.

(3) The Judge or Registrar may, if he thinks fit, allow the fee for qualifying to give evidence, notwithstanding that the witness does not attend the trial.

(4) Subject to paragraph (5), where a report in writing has been obtained from an expert witness who is not entitled to a qualifying fee, the Registrar may if he thinks such a report was reasonably necessary allow a fee of not exceeding 5 guineas therefor.

(5) If in any particular case the Judge certifies that the fee for qualifying to give evidence or for a report in writing or for attending the Court ought not to be limited as aforesaid, the fee to be allowed on taxation shall be such larger sum as the Registrar thinks reasonable.

Travelling and hotel expenses

25. There may be allowed in respect of a witness or party who has attended the hearing of the action or proceeding, in addition to any sum allowed under Rule 23 or Rule 24 of this Order, any expenses which the witness or party has actually and reasonably incurred in travelling to and from the Court or in staying at an hotel.

Attendance in more than one action

26. Where a witness or party attends the Court in respect of two or more actions or proceedings, the sum which might be allowed to such witness or party under Rule 23 or Rule 24 of this Order in respect of one action or proceeding may be apportioned between the several actions or proceedings.

Witness not called

27. Allowances may be made to a witness whether such witness was called or not, if the attendance of such witness was necessary.

Seamen detained

28. A seaman necessarily detained on shore for the purpose of an action or proceeding may be allowed such sum as the Registrar thinks reasonable in respect of such detention.

Interpreters

29. Where on the hearing of an action or proceeding a person attends the Court for the purpose of interpreting evidence, there may be allowed in respect of his attendance such sum as might be allowed if he had attended the Court as a witness of fact or, if the Judge or Registrar thinks fit, such sum as might be allowed if he had attended the Court as an expert witness.

When taxation required

30. In every action or proceeding in which one party is liable to pay any costs incurred by any other party, then except as provided in the next two succeeding Rules of this Order, the costs shall be taxed.

Fixed costs

31.—(1) Parts I, II and III of Appendix N to these Rules shall have effect for the purpose of showing the total amount which, in the several cases to which such parts apply, shall be allowed to the solicitor for the plaintiff without taxation, unless the Judge or Registrar otherwise orders.

(2) In a case to which Parts I, II and III of Appendix N do not apply no amount shall be entered on the writ of summons for the charges of the solicitor for the plaintiff, but the words " to be taxed " shall be inserted.

Allowance without taxation

32.—(1) When in an action or proceeding costs are awarded on Scale 1, the costs may be fixed and allowed without taxation.

(2) Where in a case to which Parts I, II and III of Appendix N do not apply costs are awarded on Scale 2, Scale 3, or Scale 4, the costs may, if the solicitor for the party in whose favour the award has been made so desires, be assessed without taxation.

(3) Where costs are assessed without taxation pursuant to the last foregoing paragraph, the Registrar may allow such sum as he thinks reasonable, within the limits of the sums appearing in Part IV of Appendix N opposite the Scale applicable to the proceedings, with such additions, if any, as may be authorised by the said Part IV.

(4) Costs awarded in respect of an application and not included in the general costs of the action may be fixed and allowed without taxation, unless the Court otherwise orders.

(5) Where the sum to be paid by one party to another party in respect of the costs of an action or proceeding has been agreed between them, the Court may direct payment of that sum in lieu of taxed costs.

Taxation between party and party

33.—(1) Where a party desires his costs to be taxed, he shall within 14 days of the making of the order or judgment for costs lodge a bill of costs with all necessary vouchers and papers, and obtain an appointment for taxation and serve on the other party a copy of the bill of costs, and give him not less than one clear day's notice of the appointment.

(2) In a bill of costs the solicitor's charges shall be entered in a separate column from the disbursements.

(3) Where a party to an action or proceeding entitled to costs lodges a bill and obtains an appointment for taxation in a case where the costs might under these rules be fixed and allowed without taxation, the Registrar may disallow the costs of and incident to the preparation of the bill and the taxation of the costs.

(4) Where a party to an action or proceeding entitled to costs fails to comply with the requirements of paragraph (1) of this Rule or in any way delays or impedes taxation, the Registrar may:—

(*a*) disallow the costs of and incident to the preparation of the bill and the taxation of the costs; and

(*b*) fix and allow such sum as he thinks reasonable for that party's costs of the action or proceeding, and tax and allow the costs of the other party (if any).

Taxation between solicitor and client

34.—(1) Where an order for taxation of costs and charges as between solicitor and client has been made pursuant to the Solicitors Act 1957(a) the solicitor shall lodge his bill within 14 days of the making of the order.

(2) On receipt of the bill the Registrar shall fix a time and place for proceeding with the taxation, and shall give to the applicant and the other party not less than 3 clear days' notice of the time and place so fixed.

(3) Subject to paragraphs (4) and (5) of this Rule the costs as between solicitor and client, in an action for the recovery of a sum of money only, may be taxed on the Scale applicable to the amount claimed.

(4) Rule 9 of this Order shall apply with the necessary modifications to the determination of the costs as they apply to the determination of costs as between party and party.

(5) Where there is a claim for a sum of money only and a counterclaim for a sum of money only the costs of, and subsequent to, the delivering of the counterclaim may be taxed on the Scale applicable to the claim or that applicable to the counterclaim, whichever is the higher:

(a) 5 & 6 Eliz. 2. c. 27.

Provided that the costs of work done solely in connection with the claim shall not be on a Scale higher than that applicable to the claim and the costs of work done solely in connection with the counterclaim shall not be on a Scale higher than that applicable to the counterclaim.

(6) In garnishee proceedings the costs as between solicitor and client may be taxed on the Scale applicable to the amount claimed by the judgment creditor.

(7) Where in any proceedings in which costs have been awarded to any party the Judge or Registrar has made any determination in relation to those costs, the Registrar shall not be bound to follow that determination in taxing the costs as between solicitor and client, and accordingly he may—

(*a*) determine the Scale in accordance with the provisions of this Rule;

(*b*) allow items disallowed as between party and party; and

(*c*) allow a higher sum in respect of any item than the sum allowed as between party and party not exceeding the maximum sum prescribed for that item in the Scale on which the costs are being taxed.

(8) Notwithstanding anything in the foregoing paragraphs of this Rule, on taxation as between solicitor and client in any proceedings the Registrar may exercise any discretion, whether as to the Scale of Costs or any other matter, may give any direction and grant any certificate that a Judge may exercise, give or grant in relation to costs as between party and party.

(9) The costs of the taxation shall be dealt with by the Registrar in accordance with the provisions of the Solicitors Act 1957 and shall be added to or deducted from the amount certified to be due.

Set-off of costs

35. In any action or proceeding in which a party entitled to receive costs is also liable to pay costs the Registrar may—

(*a*) tax the costs which that party is liable to pay, and adjust them by way of deduction or set-off and direct payment of any balance; or

(*b*) delay the allowance of costs which such party is entitled to receive, until the costs which such party is liable to pay have been paid.

Meaning of folio

36. A folio is to comprise 72 words, every figure comprised in a column, or authorised to be used, being counted as one word.

Objections to taxation, and review

37.—(1) Any party dissatisfied with the taxation of any costs by the Registrar may apply to the Registrar to reconsider the taxation.

(2) The application may be made on the day of taxation and if not so made—

(*a*) the application shall be made on notice; and

(*b*) the notice shall be filed in the Court office within two days of the taxation and unless otherwise ordered by the Court shall operate as a stay of execution in respect of the costs until the application has been heard; and

(*c*) the notice shall specify the items in respect of which the application is made and the grounds and reasons for the objections.

(3) On the hearing of the application the Registrar shall reconsider his taxation on the objections and shall if requested by either party state in writing the reasons for his decision thereon.

(4) Any party dissatisfied with the reconsideration of the taxation by the Registrar may apply for a review of the taxation by the Judge.

(5) The application may be made on the day on which the Registrar has reconsidered the taxation and if not so made sub-paragraphs (*a*) (*b*) and (*c*) of paragraph (2) of this Rule shall apply with the necessary modifications.

(6) On the hearing of the application the Judge may make such order as may be just.

Scales of costs generally

38. Subject to the foregoing Rules the Scales of Costs in force in this Court appear in Appendix N and the Fees to be paid in any action or proceeding appear in Appendix O:

Provided that in any action or proceeding commenced before these Rules come into operation to which the scale of costs and the fees previously in force were applicable, the same shall continue to be applied.

APPENDIX N

Fixed Costs

Part I—Writs of Summons

(1) Table A of this part of this Appendix shows the amount of Solicitor's charges in respect of a writ of Summons.

(2) In addition to the amounts shown in Table A, the appropriate Court fee is to be added, and the total thereof shall be endorsed on the Writ of Summons.

(3) In Column 1 of Table A the expression "sum of money" means the sum of money claimed, or in relation to an action for the recovery of property other than land or money the value of the property claimed or, in the case of goods supplied under a hire-purchase agreement, the unpaid balance of the hire-purchase price.

(4) There shall also be endorsed on the Writ of Summons, in case the Plaintiff obtains an Order for substituted service, the further sum shown in Table B of this part of the Appendix, and also the words "or such further sum as may be allowed on taxation".

Table A

Table of Fixed Costs

Column 1	Column 2
Sum of Money	Amount of charges
Scale 1	
Exceeding £2 and not exceeding £10	13 0 For each extra defendant to be served add 3s. 0d.
Scale 2	
Exceeding £10 and not exceeding £30	1 15 0 For each extra defendant to be served add 5s. 0d.
Scale 3	
Exceeding £30 and not exceeding £100 or for the recovery of land with or without a claim for a sum of money.	2 8 0 For each extra defendant to be served add 8s. 0d.
Scale 4	
Exceeding £100	4 10 0 For each extra defendant to be served add 10s. 0d.

TABLE B

SUBSTITUTED SERVICE

Scale 1	5 0
Scale 2	1 0 0
Scale 3	1 0 0
Scale 4	1 5 0

In addition thereto there shall be added the appropriate Court fee for Order.

PART II—JUDGMENTS

Solicitors' charges in respect of a Judgment entered or given in the circumstances mentioned in one of the paragraphs in Column 1 of Table C shall be as set out in Column 2 thereof.

TABLE C

FIXED COSTS ON JUDGMENTS

Column 1	Column 2			
	Scale 1	Scale 2	Scale 3	Scale 4
(*a*) Where Judgment is entered in default of Appearance or Defence...	5 0	10 0	10 0	1 0 0
(*b*) Where judgment is entered on an admission by the Defendant and the decision of the Court is given as to the date of payment or instalments by which payment is to be made	10 0	15 0	1 0 0	2 10 0
(*c*) Where the Plaintiff makes application on Summons for Judgment	10 0	1 0 0	2 0 0	4 0 0
(i) Pursuant to Order XIV				
(ii) Pursuant to Order XXIX, rule 4 (licensed moneylender)				
(iii) In any case where Judgment in default of Appearance or Defence cannot be entered for any relief claimed without leave of the Judge or Registrar.				

PART III—GARNISHEE ORDER NISI

TABLE D

Scale 1	13 0
Scale 2	1 10 0
Scale 3	1 10 0
Scale 4	3 0 0

In addition thereto there shall be added the appropriate Court fee for the Order.

Where an Order Absolute is made, the further fixed charges as appear in Part II, Table C, column 2(*b*), shall be added.

PART IV—ASSESSMENT OF COSTS

Table E shows the amount which, pursuant to Order 65 Rule 32(3) may be allowed where the solicitor for a party in whose favour costs have been awarded desires them to be assessed without taxation.

In addition to the amount set out in the Table there may be allowed, where appropriate—

(i) Court fees,

(ii) allowances to witnesses,

(iii) a charge on the appropriate scale in respect of service of process by the solicitor or substituted service.

TABLE E

Scale	Amount of Charges
Scale 2	£3—£6
Scale 3	£5—£10
Scale 4	£8—£15

SCALES OF COSTS

SCHEDULE A

SCALE 1

SOLICITOR'S CHARGES

No.		£ s. d.
1	Preparing writ of summons and statement of claim, or counterclaim and all necessary copies where action commenced and statement of claim or counterclaim signed by solicitor ...	10 0
	NOTE:—This item includes letter before action, instructions to sue and attending to issue writ.	
2	In addition to item 1, for service of writ of summons ...	3 0
	NOTE:—This item is not to be allowed where item 3 is applicable.	
3	If substituted service ordered (and if by advertisement the sum actually and reasonably paid therefor)	5 0
4	Plaintiff's solicitor preparing for and attending trial, with or without counsel	1 0 0
	NOTE:—Where counsel is not instructed, and the Judge or Registrar who heard the action or matter is satisfied from the nature of the case or the conduct of the proceedings that a higher charge is justified, item 4 may be increased to a sum not exceeding	3 0 0
5	Defendant's solicitor, instructions, preparing defence and attending trial with or without counsel	1 10 0
	NOTE 1:—Where counsel is not instructed, and the Judge or Registrar who heard the action or matter is satisfied from the nature of the case or the conduct of the proceedings that a higher charge is justified item 5 may be increased to a sum not exceeding	3 10 0
	NOTE 2:—Where there is no trial but some costs of preparing for trial have been necessarily incurred, such portion of item 4 or item 5 as the Registrar thinks reasonable may be allowed.	

SCHEDULE A: SCALE 1. SOLICITOR'S CHARGES—*continued*

No.		£ s. d.
6	(*a*) Where trial not concluded on the day on which it is commenced, for each day or part of a day on which it is continued, with or without counsel	1 0 0
	(*b*) Where trial adjourned for want of time or on payment of the costs of the day, with or without counsel	10 0
7	Where an interlocutory application is made in the course of proceedings and costs are awarded, making or opposing application including instructions, notices, copies, service and attendances...	10 0
	NOTE:—Items 4, 5, 6 and 7 apply to an arbitration, inquiry or reference. If the reference or inquiry was directed at the trial or the reference or inquiry began on the same day, item 4 or item 5 may only be allowed once in respect of that day.	
8	Preparing for and attending to support or oppose application to set aside judgment or award or attending on the hearing of an appeal to the Judge from a decision of the Registrar, with or without counsel	10 0
9	Attending hearing of judgment summons, if costs allowed by the Judge	5 0
	COUNSEL'S FEES	
10	Where case is certified fit for counsel—	
	(*a*) For the hearing of an action or proceeding or for an application to set aside a judgment or award, or on the hearing of an appeal to the Judge from a decision of the Registrar	2 4 6
	(*b*) Where the hearing is not concluded on the day on which it is commenced, or is adjourned for want of time or upon payment of the costs of the day, for each day or part of a day on which it is continued	1 3 6 to 2 4 6

SCHEDULE B

SCALES 2, 3 AND 4

SOLICITOR'S CHARGES

No.		Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.
	NOTE:—Items 1, 2, 3, 9, 10, 11, 12, 29, 31 and 32, in the following scales may be increased to such sum as the Registrar thinks reasonable, without being bound by the sums laid down in the scales provided a certificate or direction as indicated in Rule 16 is first obtained.			
1	TAKING INSTRUCTIONS:— (i) To sue or defend; or (ii) to counterclaim or oppose counterclaim; or (iii) to interplead or to claim or oppose claim in interpleader proceedings; or (iv) to file or oppose a third party notice, or application to set aside a judgment or award; or (v) to take or oppose garnishee proceedings; or (vi) For preparing any document to which item 3(*b*) applied or for making or opposing any application to which Item 12 applies, where in the opinion of the Registrar the instructions were necessary; or (vii) to appeal or oppose an appeal to the Judge from a decision of the Registrar.	5 0 to 10 0	5 0 to 1 0 0	15 0 to 1 10 0
	DRAWING:— Pleadings			
2	Drawing writ of summons and statement of claim, or particulars of counterclaim, or third party notice, or defence to claim or counterclaim, or reply if ordered ... ... NOTE 1:—This item includes copies and is only to be allowed where the document is signed by the solicitor or his clerk duly authorised in that behalf. NOTE 2:—Where the document is settled by counsel, Items 3(*a*) and 5 are allowable, not this item.	5 0 to 1 0 0	5 0 to 1 10 0	10 0 to 3 0 0
3	Other Documents (*a*) Preparing instructions to counsel to settle any pleading or other documents or to advise on evidence or to advise on merits where counsel's fee is allowed under Item 32.	5 0 to 10 0	5 0 to 1 0 0	15 0 to 1 10 0
	(*b*) Drawing any necessary document and all copies thereof not otherwise provided for...	5 0	5 0	5 0
	And per folio beyond five	1 0	1 0	1 0

SCHEDULE B: SCALES 2, 3 AND 4. SOLICITOR'S CHARGES—*continued*

No.		Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.
	COPIES:—			
4	For copies of documents (including brief) not otherwise provided for which the Registrar considers necessary—			
	(*a*) for photographic copies, the actual and reasonable cost;	—	—	—
	(*b*) for carbon copies, per folio ...	3	3	3
	(*c*) in any other case, per folio ...	6	6	6
	PERUSALS:—			
5	Perusing any document not otherwise provided for which the Registrar is satisfied justifies a charge for perusal	5 0	5 0	5 0
	Or per folio beyond five...	1 0	1 0	1 0
	SERVICE:—			
6	Service of any document required to be served personally, other than a judgment summons, including copy ...	5 0 to 10 0	5 0 to 10 0	10 0 to 1 0 0
7	Service of any document authorised to be served by post, including copy ...	2 0	2 0	2 0
	NOTES TO ITEMS 6 and 7:— NOTE 1:—Where any two or more documents to be served on the same party have been or could have been served together, one charge only for service is to be allowed. NOTE 2:—Where two or more parties have been or could have been served together, one charge only for service is to be allowed. NOTE 3:—These items are not be to allowed where item 8 is applicable.			
	SUBSTITUTED SERVICE:—			
8	This item is to include attendances, making appointments to serve writ or order or notice requiring personal service, preparing and attending to swear and file affidavits and to obtain order, and the fees paid for oaths ...	1 0 0	1 0 0 to 1 10 0	1 5 0 to 2 10 0
	PREPARATION FOR TRIAL:—			
9	Preparing for trial of action	2 0 0 to 5 0 0	3 0 0 to 15 0 0	Such sum as is fair and reasonable in all the circumstances not exceeding £40 0 0

SCHEDULE B: SCALES 2, 3 AND 4. SOLICITOR'S CHARGES—*continued*

No.		Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.
	NOTE 1:—This item is intended to cover the work of preparing for trial not otherwise provided for, including considering facts, evidence and law, preparation of notes of facts or argument, interviewing witnesses and taking proofs of their evidence, preparing and serving notices to produce and admit documents, and to admit facts, perusing such notices and correspondence, making necessary searches and, where counsel is instructed, instructions for and drawing brief, and attending counsel therewith. NOTE 2:—This item is allowed only once in the same proceedings: See note 1 following Item 12.			
	ATTENDANCES:—			
10	At Court on trial of action or matter, for each day or part of a day—	1 0 0 to	2 0 0 to	3 0 0 to
	(*a*) without counsel	5 0 0	10 0 0	20 0 0
		10 0 to	1 0 0 to	2 0 0 to
	(*b*) with counsel	2 0 0	3 0 0	4 0 0
11	At Court where trial is adjourned for want of time or upon payment of the costs of the day—	1 0 0 to	1 0 0 to	2 0 0 to
	(*a*) without counsel	2 0 0	3 0 0	5 0 0
		10 0 to	1 0 0 to	1 0 0 to
	(*b*) with counsel	1 0 0	2 0 0	3 0 0
12	Attending at Court or in Chambers on any application to the Judge or Registrar in the course of the proceedings, including notice and service, and brief where counsel instructed:—	10 0 to	10 0 to	1 0 0 to
	(*a*) without counsel	1 10 0	5 0 0	7 10 0
		10 0 to	10 0 to	1 0 0 to
	(*b*) with counsel	1 0 0	1 10 0	3 0 0
	NOTES TO ITEMS 9, 10, 11 AND 12 NOTE 1:—These items apply to an arbitration, inquiry or reference but item 9 may only be allowed once in the same proceedings. If the reference or inquiry was directed at the trial and the reference or inquiry began on the same day item 10 may only be allowed once in respect of that day.			

SCHEDULE B: SCALES 2, 3 AND 4. SOLICITOR'S CHARGES—*continued*

No.		Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.
	NOTE 2:—In proceedings transferred from the High Court item 9 includes instructions for brief in the High Court or any charge in lieu thereof.			
13	Attending to lodge papers when proceedings transferred to the Court, including preparation of all necessary documents ... ... NOTE:—This item is not to be allowed for preparing a precipe and lodging a Judgment of the High Court for the purpose of a judgment summons.	1 0 0	1 0 0	1 0 0
14	Attending on examination of witness under Order XXXI, Rule 11; Order XXXVII, Rule 24, or Order XLII, Rule 32, for each hour.	10 0	15 0	1 0 0
15	Where, in consequence of anything done by the opposite party during the proceedings, attendance on the client is necessary to advise or receive instructions, for each attendance not otherwise provided for	10 0	10 0	10 0 to 1 0 0
16	For each necessary attendance upon the opposite party not otherwise provided for	10 0	10 0	10 0
17	Attending to obtain or give any necessary and proper consent or admission ...	10 0	10 0	10 0
18	Attending to arrange for attendance of a witness without subpoena ... ... NOTE to items 15, 16 and 17:—If the attendance is by telephone half the charge is to be allowed. NOTE to item 18:—Only one charge is to be allowed where only one attendance is necessary to arrange for more than one witness.	5 0	5 0	5 0
19	Attending at Court to hear a deferred judgment or on further consideration of or on entry of judgment on an award or report:—			
	(*a*) without counsel	10 0 to 1 10 0	10 0 to 3 0 0	10 0 to 5 0 0
	(*b*) with counsel	10 0 to 1 0 0	10 0 to 1 10 0	1 0 0 to 2 0 0

SCHEDULE B: SCALES 2, 3 AND 4. SOLICITOR'S CHARGES—*continued*

No.		Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.
20	Attending on the hearing of a judgment summons if costs allowed by the Judge under Order XLVa, Rule 35:—			
	(*a*) without counsel	1 0 0	1 0 0	1 0 0
	(*b*) with counsel ... ... NOTE:—This item includes attending to enter and service.	10 0	10 0	10 0
21	Attending deponent being sworn to an affidavit ... ... NOTE 1:—This charge may be allowed where the solicitor or his clerk is the deponent NOTE 2:—This charge is not to be allowed in respect of an affidavit of service.	5 0	5 0	5 0
22	Attending to deliver or file any document pursuant to any Rule of Court ...	5 0	5 0	5 0
23	Any attendance at the Registrar's Office not otherwise provided for which the Registrar is satisfied justifies a charge	5 0	5 0	5 0
24	On counsel in conference where counsel's fee allowed under item 30 (to include appointing conference)	15 0	1 0 0	2 0 0
	LETTERS, ETC.:—			
25	Letter before action	5 0	5 0	5 0
26	Letters in lieu of attendances which could properly be allowed under items 15, 22 and 23	5 0	5 0	5 0
27	Circular letters	2 0	2 0	2 0
	TAXATION OF COSTS:—			
28	(*a*) For taxation of the costs of the action or reference, to include preparing bill, all necessary copies and notice, service and obtaining appointment to tax and attending taxation ...	1 0 0	1 0 0 to 3 0 0	1 10 0 to 5 0 0
	(*b*) For any other taxation, to include preparing bill, all necessary copies and notice, service and obtaining appointment to tax and attending taxation	10 0	10 0 to 1 0 0	15 0 to 1 10 0
	DISBURSEMENTS:—	2 4 6	3 5 6	7 12 0
	Fees to Counsel	to	to	to
29	With brief on trial or hearing	5 10 0	11 0 0	27 0 0

SCHEDULE B: SCALES 2, 3 AND 4. SOLICITOR'S CHARGES—*continued*

No.		Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.
30	On conference in chambers or elsewhere if the fee was marked on the brief when delivered, or in the opinion of the Registrar the conference was necessary and for leading counsel if case certified fit for more counsel than one ...	2 7 0 —	2 7 0 3 8 0	2 7 0 3 8 0
31	(*a*) Where trial or hearing of action is not concluded on day on which it is commenced, or is adjourned for want of time or on payment of the costs of the day, for each day or part of a day on which it is continued	2 4 6	2 4 6 to 5 10 0	3 5 6 to 13 2 0
	(*b*) with brief on further consideration or to hear a deferred judgment; with brief on application in the course of proceedings; with brief on an examination of witnesses under Order XXXI, Rule 11, Order XXXVII, Rule 24, or Order XLII, Rule 32; with brief on hearing of judgment summons	2 4 6	2 4 6 to 5 10 0	2 4 6 to 7 12 0
32	(*a*) For settling any document which in the opinion of the Registrar is proper to be settled by counsel	2 4 6	2 4 6 to 3 5 6	2 4 6 to 3 5 6
	(*b*) For advising in writing on any question in the proceedings on which in the opinion of the Registrar it was proper to obtain Counsel's advice, including advising on evidence, advising on merits before action brought or defence delivered and advising on quantum or on proposal and terms of settlement	2 4 6	2 4 6 to 3 5 6	2 4 6 to 3 5 6
	NOTES TO ITEMS 29, 30, 31 AND 32. NOTE 1:—Notes 1 and 2 to items 9, 10, 11 and 12 apply to fees to counsel as they apply to preparing for trial, attending Court or attending in Chambers. NOTE 2:—Fees to counsel are not to be allowed unless the payment of them is vouched by the signature of counsel.			
	Plans, Photographs, etc.			
33	For plans, drawings, charts, photographs or models for use at the trial, which in the opinion of the Registrar it was reasonable to obtain, the sum actually and reasonably paid	—	—	—

SCHEDULE B: SCALES 2, 3 AND 4. SOLICITOR'S CHARGES—*continued*

No.		Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.
	Miscellaneous.			
34	(*a*) For obtaining any documentary evidence or police reports or statement from the police which in the opinion of the Registrar was reasonably necessary to obtain for the purpose of the action or proceeding ...	—	—	—
	(*b*) for an advertisement in pursuance of an Order for substituted service by advertisement, and	—	—	—
	(*c*) for making any search in the companies register, the business names register or any other public register which in the opinion of the Registrar it was reasonably necessary to make for the purpose of the action or proceeding, the sum actually and reasonably paid	—	—	—
35	(*a*) For postages, carriage and transmission of documents, a sum not exceeding	1 0 0	1 10 0	2 0 0
	(*b*) for telegrams and telephone calls, the sum actually and reasonably paid	—	—	—
36	For oaths, sum paid, unless included in another item	—	—	—
37	Where solicitor does not reside or carry on business within 2 miles of the Court at which the trial takes place, the sum actually and reasonably paid for travelling to attend trial	—	—	—
38	Where solicitor does not reside or carry on business within 2 miles of the place of inspection of documents:—			
	(*a*) the sum actually and reasonably paid for travelling to inspect documents...	—	—	—
	or			
	(*b*) if agent employed, for correspondence with agent	10 0	15 0	1 0 0
39	In addition to item 28 (taxation) where solicitor does not reside or carry on business within 2 miles of the Registrar's Office:—			
	(*a*) the sum actually and reasonably paid for travelling to attend the taxation	—	—	—
	or			
	(*b*) if agent reasonably employed, for correspondence with agent ...	10 0	15 0	1 0 0

SCHEDULE B: SCALES 2, 3 AND 4. SOLICITOR'S CHARGES—*continued*

NOTE TO ITEMS 37, 38(*a*) and 39(*a*):—

Where in the opinion of the Registrar it would have been reasonable to employ a solicitor residing or carrying on business nearer to the Court, the place of inspection of documents or the Court office, as the case may be, he shall not allow more than he would have allowed to such a solicitor.

SCHEDULE C

COMPENSATION FOR LOSS OF TIME

Class of Person	Column 1 Sum to be paid or tendered at time of service of Subpoena	Column 2 Maximum sum per day allowable on taxation (including any sum paid under Column 1)
	£ s. d.	£ s. d.
(*a*) Professional persons, and owners, directors or managers of businesses	3 0 0	8 0 0
(*b*) Police Officers	1 15 0	1 15 0
(*c*) Clerks, artisans, labourers and all other persons ...	1 0 0	3 0 0

NOTE:—

Where on the hearing of an action or proceeding a party thereto or any other person attends the Court as a witness of fact, or as a witness producing a document, there may be allowed in respect of his attendance such sum as the Judge or Registrar thinks reasonable, not exceeding the sum prescribed in Column 2 for a person of the class to which he belongs:

Provided that the sum allowed shall not, unless the Court otherwise orders, exceed the sum prescribed in Column 1 where—

(*a*) a witness or party has lost no wages, earnings or other income in attending Court; or

(*b*) the period during which the witness has been away from home or in respect of which he has lost wages, earnings or other income by reason of his attendance does not exceed 4 hours.

Allowances for Travelling and Hotel Expenses.—Order LXVr.25 provides that there may be also allowed to all witnesses, and to plaintiffs and defendants, if personally attending the Court, for hotel expenses, the sum actually and reasonably paid by them and the costs of travelling to and from the Court.

Interpreters.—Order LXVr.29 provides that an interpreter may be allowed a fee for attending Court as a witness of fact, or, if the Judge or Registrar thinks fit, he may be allowed a sum equivalent to the fee payable to an expert witness.

Expert Witness.—See Order LXVr.24.

Subpoena.—At the time of service of the Subpoena there must be paid or tendered to the witness, in addition to the sum prescribed by Column 1, a sum reasonably sufficient to cover the expenses of the witness in travelling to and from the Court, with a minimum of one shilling. In the case of a judgment summons, it is sufficient to pay or tender to the judgment debtor, if summoned as a witness, travelling expenses only, with a minimum of one shilling.

Where the judgment creditor has paid money to the debtor as travelling expenses and the debtor does not attend the hearing, the Judge may, if he thinks fit, allow the money so paid as costs to the judgment creditor.

APPENDIX O

PART I

SCHEDULE OF COURT FEES

GENERAL

1. The fees prescribed in this Schedule are payable, so far as they are applicable, in all actions and proceedings in the Court.

2. The fee payable on issuing a Writ of Summons includes:—

(*a*) the examination and a filing of the Writ of Summons, the examination and filing of the affidavit, if necessary, for leave to serve Writ in England or Wales outside the Jurisdiction, and the order made therefor;

(*b*) the trial or hearing of an action, and the entering, sealing and issue of the judgment, or drawing the order given or made thereon.

3. Where a claim or counterclaim is amended and the fees paid before amendment are less than those which would have been payable if the claim or counterclaim as amended had been so drawn in the first instance, the party amending the claim or counterclaim shall pay the difference.

4. Except where it is otherwise provided, the fee payable on an application for an order made in the course of any action or proceeding includes—

(*a*) the examination and filing of any affidavit in support of or in opposition to the application; and

(*b*) the drawing, sealing and issue of the order made thereon.

No.	Description of Proceeding	Amount of Fee
	WRIT OF SUMMONS	
1	On issuing a Writ of Summons	
	(i) for the recovery of a sum of money—	
	not exceeding £1	3s.
	exceeding £1 but not exceeding £2	6s.
	„ £2 „ „ „ £3	9s.
	„ £3 „ „ „ £4	12s.
	„ £4 „ „ „ £5	15s.
	„ £5 „ „ „ £6	18s.
	„ £6 „ „ „ £7	21s.
	„ £7 „ „ „ £8	24s.
	„ £8 „ „ „ £9	27s.
	„ £9 „ „ „ £10	30s.
	„ £10 „ „ „ £11	32s.
	„ £11 „ „ „ £12	34s.
	„ £12 „ „ „ £13	36s.
	„ £13 „ „ „ £14	38s.
	„ £14 „ „ „ £15	40s.
	„ £15 „ „ „ £16	42s.
	„ £16 „ „ „ £17	44s.
	„ £17 „ „ „ £18	46s.
	„ £18 „ „ „ £19	48s.
	„ £19 „ „ „ £20	50s.
	„ £20 „ „ „ £30	55s.
	„ £30 „ „ „ £100	60s.
	„ £100	80s.

APPENDIX O. PART I. SCHEDULE OF COURT FEES—*continued*

No.	Description of Proceeding	Amount of Fee
		£ s. d.
	Where a sum of money is claimed as an alternative to a claim for another sum of money, this fee is to be calculated on whichever sum is the greater. Where a sum of money is claimed in addition to another sum of money, then for the purpose of calculating this fee the additional sum is to be added to the sum on which this fee would otherwise be calculated.	
	(ii) for the approval of a settlement where such approval is requested in the Writ of Summons	10 0
	NOTE:—If the settlement is not approved and the action proceeds to hearing, the plaintiff shall pay the difference between this fee and Fee No. 1(i) calculated on the sum of money claimed.	
	(iii) the recovery of land	1 0 0
	(iv) the recovery of land and a sum of money, Fee No. 1(iii) and in addition, for every £1 (or part thereof) of money claimed	2 0
	Maximum fee	4 0 0
	Where recovery of land is claimed on the grounds of forfeiture for non-payment of rent, this fee is to be calculated on the rent in arrear at the issue of the writ, but if at the hearing the plaintiff claims a greater sum, he shall pay the difference between the amount paid on issuing the writ and the amount which would have been payable on issuing a writ for the recovery of land and the sum claimed at the hearing or Order for judgment or entering judgment in default.	
	(v) the delivery of goods	
	(*a*) Where the writ is issued against a person to whom the goods have been supplied under a hire-purchase agreement and/or against a guarantor of such person.	Fee No. 1(i) calculated on the unpaid balance of the hire-purchase price.
	(*b*) In any other case	Fee No. 1 (i) calculated on the value of the goods
	It shall be the duty of the plaintiff to estimate the value of the goods and the amount so estimated shall be stated in the statement of claim. If the value appears subsequently to the Court to have been underestimated, the plaintiff shall pay the difference between the amount paid by him on issuing the writ and the fee which would have been payable if the estimate had been correct. Where a sum of money is claimed as an alternative to the delivery of goods the fee payable under (*a*) or (*b*) of this item is to be calculated on the sum of money or the unpaid balance of the hire-purchase price (or the value of the goods, as the case may be) whichever is the greater. Where a sum of money is claimed in addition to the delivery of the goods then for the purpose of calculating the fee payable under (*a*) or (*b*) of this item, the sum of money is to be added to the sum on which the fee would otherwise be calculated.	
	(vi) for any other remedy or relief	4 0 0

APPENDIX O. PART I. SCHEDULE OF COURT FEES—*continued*

No.	Description of Proceeding	Amount of Fee £ s. d.
	AMENDMENT	
2	Application for leave to amend the name, description or address of plaintiff or defendant	1 0
	ATTACHMENT	
3	Notice of Motion or application for attachment	10 0
	Issue of writ of attachment	10 0
	CHARGING ORDER	
4	Charging the land of a judgment debtor	10 0
	COPIES	
5	(i) For an office copy of a Judge's note, for every 2 folios of 72 words or part thereof	1 0
	(ii) For examining a copy supplied by a party and marking it as an office copy, for every 4 folios or part thereof ...	1 0
	COMMITMENT	
6	On the issue of an order of commitment made on a judgment summons for every £ for which the order issues	1 0
	Maximum fee	1 10 0
	COUNTERCLAIM	
7	On the delivery of a counterclaim, the amount (if any) whereby the fee which would be payable on issuing a writ for the sum of money or other remedy or relief counterclaimed by the defendant exceeds the writ fee paid by the plaintiff.	
	DETINUE	
8	On the issue of writ for delivery of goods, see Fee No. 1(v). Writ of Delivery—see Fee No. 13—Execution.	
	DUPLICATE	
9	For issuing a concurrent writ or duplicate writ, summons, order or other process of the Court	1 0
	EJECTMENT	
10	On issue of a writ for recovery of land, see Fee No. 1(iii) and (iv).	
	EQUITABLE EXECUTION	
11	On an application for the appointment of a Receiver by way of equitable execution. For every £2 or part thereof of the amount of debt and costs due to the applicant	1 0
	Maximum fee	2 0 0
	EXAMINATION OF JUDGMENT DEBTOR	
12	On an application for an order for the attendance of a judgment debtor or any other person under Order XLII Rule 32	5 0
	EXECUTION	
13	(*a*) On issue of writ of fi-fa, for every £2 or part thereof for which the writ issues	4 0
	Maximum fee	3 0 0
	(*b*) On issue of writ of possession	1 0 0

APPENDIX O. PART I. SCHEDULE OF COURT FEES—*continued*

No.	Description of Proceeding	Amount of Fee £ s. d.
	(*c*) On issue of writ of possession and fi-fa combined, the same fee as (*b*), and in addition thereto, for every £2 or part thereof of the amount for which the fi-fa issues	4 0
	Maximum fee	4 0 0
	(*d*) On issue of writ of delivery, for every £2 or part thereof of the value of the goods to be delivered	4 0
	Maximum fee	3 0 0
	The value is to be— (*a*) if the writ fee was taken under Fee No. 1(v)(*a*), the balance of the hire-purchase price attributable to the goods at the time when the writ of delivery is issued; or (*b*) if the writ fee was taken under Fee No. 1 (v)(*b*), the value stated in the judgment or, if none is so stated, the value on which the writ fee was calculated. In every other case the maximum fee is payable. (*e*) Where the writ is for the recovery of a sum of money in addition to delivery, then for the purpose of calculating this fee, the sum of money is to be added to the sum on which the fee would otherwise be calculated. (*f*) For enforcement by County Court under Section 140 of County Courts Act 1959 of execution, warrant or order an amount equal to the fee which would have been payable if the same had been issued by a County Court.	
	GARNISHEE	
14	On an order nisi being made same fee as for issuing a writ of summons. Fee No. 1(i). The fee to be calculated on the amount of the debt sought to be attached, or if the amount sought to be attached is not stated on the unpaid balance of the judgment debt and costs.	
	INDEMNITY OR CONTRIBUTION	
15	See Fee No. 25—Third Party.	
	INTERLOCUTORY PROCEEDINGS	
16	On every application made in an action or proceeding before the day fixed for hearing except an application:— (i) to postpone or adjourn an action or proceeding; (ii) to restore an action or proceeding to the list after adjournment sine die; (iii) for the substitution, joinder or addition of a party under Order XVII, Rules 2 and 4; 5 0 (iv) for the extension of time for the service of a summons; (v) for the transfer of an action to a County Court; (vi) to approve a settlement; (vii) to vary or rescind an Order of the Registrar made in the course of proceedings; (viii) for the appointment of a guardian ad litem; or (ix) for the issue of a Third party notice ... ... 5 0 This fee is payable whether the application is made on summons, or notice or ex parte by consent. No fee is payable where the amount of the claim does not exceed £2.	

APPENDIX O. PART I. SCHEDULE OF COURT FEES—*continued*

No.	Description of Proceeding	Amount of Fee £ s. d.
	JUDGMENT SUMMONS	
17	(i) On the issue of a judgment summons, for every £2 (or part thereof) for which the summons issues	3 0
	Maximum fee	2 0 0
	(ii) On the issue of a second or subsequent successive judgment summons	2 6
	JURY	
18	On an order for trial with a jury	15 0
	LAND	
19	On issue of writ for recovery of land—see Fee No. 1(iii) and (iv).	
	PAYMENT INTO COURT	
20	On transfer or payment of money into a deposit account or other security for the benefit of a Person under a disability or widow under Order XXII, Rules 11 and 12, for every £4 or part thereof	1 0
	Maximum fee in respect of each action	4 0 0
	This fee is to be deducted from the money transferred or paid into Court.	
	Where the money is for the benefit of more than one person and is apportioned between them, the fee is to be deducted rateably from the portions.	
	Where the money is paid into court under Order XXII, Rule 11, this fee is not to be deducted until judgment has been given or a settlement approved, and any sum then ordered to be paid out forthwith is to be excluded for the purpose of calculating the fee.	
	RECEIVER	
21	See Fee No. 11—Equitable execution.	
	SUBPOENA OF SUMMONS TO WITNESS	
22	On the issue of a subpoena or summons to witness, for each witness	2 0
	SUBSTITUTED SERVICE	
23	On application for order for substituted service of writ or other document requiring personal service	5 0
	TAXATION	
24	On the taxation of costs or expenses, for every £2 or part thereof allowed	1 0
	Minimum fee	5 0
	On an application to the Judge to review a taxation ...	5 0
	THIRD PARTY	
25	On the issue of a notice of a claim for contribution or indemnity against a co-defendant or a third party...	5 0
	This fee is payable by the defendant and also by a third party who brings in a further party.	

APPENDIX O. PART I. SCHEDULE OF COURT FEES—*continued*

No.	Description of Proceeding	Amount of Fee
		£ s. d.
	TRANSFER	
26	On lodging with the Registrar an Order transferring an action to this Court	1 10 0

PART II

HEAD BAILIFF'S FEES

No.		Amount of Fee
1	(i) For keeping possession of goods (other than walking possession) under any process of execution.	6d. per day for every £ of the value of the goods seized. Where goods have been appraised, the appraised value is to be taken as the value of the goods. Maximum fee per day, 10s. 0d. or where a possession man is employed, 17s. 6d. In addition thereto, where there are animals to be fed, the reasonable expenses of feeding them.
	(ii) For removing or taking steps to remove goods to a place of deposit. These fees are not payable for more than seven days: Provided that:— (*a*) Where possession is kept after the seventh day at the request in writing of both parties, these fees are payable for a reasonable further time; and (*b*) Where notice of a claim by a third party to or in respect of the goods has been given to the Bailiff, the number of days for which possession fees may be charged shall be determined by the Judge or the Registrar.	The reasonable expenses thereof.
2	For advertising a sale by auction	The reasonable expenses thereof.
3	For the appraisement of goods	For every £ of the appraised value, 6d.
4	For the sale of goods (including advertisements, catalogues, sale and commission and delivery of goods).	2s. 0d. in the £ on the amount realised by the sale.

APPENDIX O. PART II. HEAD BAILIFF'S FEES—*continued*

No.		Amount of Fee
5	When no sale takes place by reason of an execution being withdrawn, satisfied or stopped.	The expenses reasonably incurred with a view to the sale, not exceeding:— (*a*) 1s. 0d. in the £ on the value of the goods seized, the value to be the appraised value where the goods have been appraised, and in addition, (*b*) any reasonable expenses under Fee No. 1 and Fee No. 3 of this part of the Appendix.

3. These Rules may be cited as the Salford Hundred Court of Record (Amendment) Rules 1963 and shall come into operation on the 1st day of January 1964.

We, the undersigned members of the Rule Committee appointed by the Chancellor of the Duchy of Lancaster under section 13 of the Salford Hundred Court of Record Act 1911(a) having by virtue of the powers vested in us in this behalf made the foregoing Rules, do hereby certify the same under our hands and submit them to the Chancellor of the Duchy of Lancaster accordingly.

Dated 7th November 1963.

(Sd.) *J. D. Cantley*, Chairman.

(Sd.) *T. A. Cunliffe*, *Guy Bunting* } Members.

Approved by the Rule Committee of the Supreme Court.

(Sd.) *George Coldstream*, Secretary.

Dated 18th November 1963.

EXPLANATORY NOTE

(*This Note is not part of the Rules, but is intended to indicate their general purport.*)

These Rules amend the Salford Hundred Court of Record Rules 1935 as amended. Their main object is to provide revised Scales of Costs, including a new Scale 4 for actions involving amounts between £100 and £400. New Tables of Fixed Costs, including a Table of Fixed Costs which may be allowed without taxation are prescribed. The principles governing the taxation of costs between solicitor and client are set out in Rule 34.

The Order also prescribes a new scale of fees for writs of summons, and increases or varies certain other fees.

(a) 1 & 2 Geo. 5. c. clxxii.

The Salford Hundred Court Rules 1935 (and the amending Rules of 1939) were not registered. Copies may be purchased at the office of the Registrar or on application may be seen at that office or at the Central Reference Library, Manchester.