FEES AND STAMPS

1958 No. 160 (L. 3)

The Supreme Court Fees (Amendment) Order, 1958

Made - - - - 30*th January,* 1958
Coming into Operation 1*st March,* 1958

The Lord Chancellor, the Judges of the Supreme Court, and the Treasury, in exercise of the powers and authorities vested in them respectively by section 213 of the Supreme Court of Judicature (Consolidation) Act, 1925(a), section 365 of the Companies Act, 1948(b), and sections 2 and 3 of the Public Offices Fees Act, 1879(c), do hereby according as the provisions of the said enactments respectively authorise and require them, make, advise, concur in, sanction and consent to the following Order:—

1.—(1) This Order may be cited as the Supreme Court Fees (Amendment) Order, 1958, and shall come into operation on the first day of March, 1958, but shall not apply to proceedings begun before that date.

(2) In this Order a fee referred to by number means the fee so numbered in the First Schedule to the Supreme Court Fees Order, 1930(d).

2. The following fee shall be substituted for Fee No. 1:—

Item	Fee	Document to be stamped
	£ s. d.	
" 1. On sealing a writ of summons for the commencement of an action—		
(*a*) where the claim is solely for a liquidated sum not exceeding £100	3 0 0	
(*b*) in any other case	4 0 0	The filed copy "

3. Except in the case of an originating summons for leave to present a petition for divorce before three years have passed since the date of the marriage, the fee on sealing an originating summons to which no appearance is required shall be the same as the fee on sealing an originating summons to which an appearance is required, and accordingly—

(*a*) in Fee No. 2 for the words " to which an appearance is required " in the first column of the said Schedule there shall be substituted the words " except one to which Fee No. 76A relates ";

(*b*) Fee No. 3 shall be revoked; and

(a) 15 & 16 Geo. 5. c. 49.
(b) 11 & 12 Geo. 6. c. 38.
(c) 42 & 43 Vict. c. 58.
(d) S.R. & O. 1930/579 (1930, p. 1728).

(*c*) the following fee shall be inserted in the said Schedule after Fee No. 76 :—

Item	Fee	Document to be stamped
	£ s. d.	
76A. On sealing an originating summons for leave to present a petition for divorce before three years have passed since the date of the marriage	0 10 0	The filed copy"

4. The fee on entering a judgment pursuant to an order under Order XIV giving liberty to do so shall be abolished and accordingly in Fee No. 32 after the words " in chambers " there shall be inserted the words " except an order giving liberty to enter judgment on an application under Order XIV ".

5. The fee on entering or sealing a judgment without an order shall be abolished and accordingly Fee No. 33 shall be revoked.

6. The fee on filing a petition in a matrimonial cause or for a declaration of legitimacy shall be three pounds instead of one pound and accordingly in Fee No. 76 (*a*) for the figures " 1.0.0 " in the second column of the said Schedule there shall be substituted the figures " 3.0.0. ".

7. The fee on filing a notice of application to make a decree absolute shall be abolished and accordingly Fee No. 78A shall be revoked and the following paragraph shall be added to the note to Fee No. 101 :—

" (*d*) a notice of application to make a decree absolute."

Dated this 30th day of January, 1958.

Kilmuir, C.
Goddard, C.J.
Eversheď, M.R.
Merriman, P.

Martin Redmayne,
Anthony Barber, } Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Supreme Court Fees Order, 1930, by increasing the fees payable on issuing a writ of summons, an originating application to which no appearance is required and a matrimonial or legitimacy petition. It also abolishes the fees payable on entering judgment in default of appearance or defence or under Order XIV and on filing a notice of application to make a matrimonial decree absolute.