STATUTORY INSTRUMENTS

1963 No. 2007 (L. 18)

SUPREME COURT OF JUDICATURE, ENGLAND

FEES AND STAMPS

The Supreme Court Fees (Amendment) Order 1963

Made - - - - 11*th December* 1963
Coming into Operation 1*st January* 1964

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), and sections 2 and 3 of the Public Offices Fees Act 1879(b), 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) The Interpretation Act 1889(c) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) A fee referred to by number means the fee so numbered in Schedule 1 to the Supreme Court Fees Order 1961(d), as amended(e).

2. The fee payable in the Chancery Division on an originating summons for the payment out of court of a sum not exceeding £200 shall be £1, and accordingly—

(1) Fee No. 2 shall be amended by substituting therein for the words "except one to which Fee No. 50 relates" the words "where no other fee is specially provided"; and

(2) the following fee shall be inserted in Section II of the said Schedule 1 after Fee No. 26 :—

Item	Fee	Document to be stamped
	£ s. d.	
"27. On an originating summons for the payment out of court of a sum not exceeding £200	1 0 0	The filed copy."

3.—(1) In Fees Nos. 10, 12, 28 and 57, the references to the Rules of the Supreme Court shall be amended in accordance with the following table :—

	Existing references	Substituted references
Fee No. 10	Order XXX, Rule 7(3)	Order 25, Rule 7(3)
Fee No. 12	Order XVIA, Rules 2, 11 or 12	Order 16, Rules 1, 8 or 9
Fee No. 28	Order XXX, Rule 7(3)	Order 25, Rule 7(3)
Fee No. 57	Order LXVII, Rule 10	Order 75, Rules 5(1), 13(1) or 21(2)

(a) 15 & 16 Geo. 5. c. 49. (b) 42 & 43 Vict. c. 58. (c) 52 & 53 Vict. c. 63.
(d) S.I. 1961/2307 (1961 III, p. 4055). (e) The amending instrument is not relevant to the subject matter of this Order.

(2) The following fee shall be substituted for Fee No. 54 :—

Item	Fee	Document to be stamped
	£ s. d.	
" 54. On filing		
(*a*) a consent to release	1 0 0	The consent.
(*b*) a praecipe under Order 75, Rules 5(4), 6(1), 8(3), 13(6)(*b*), 14(1) or 21(1), or a notice under Order 75, Rule 13(2) ...	1 0 0	The praecipe or notice.
(*c*) an agreement under Order 75, Rule 33(1)	1 0 0	The agreement.
(*d*) an admission of liability ...	1 0 0	The admission.
(*e*) a request for the attendance of Trinity Masters or other assessors	1 0 0	The praecipe.
(*f*) any other document	0 5 0	The document filed."

4. A fee of £0 10s. 0d. shall be payable in every division of the High Court on sealing a notice for attendance at chambers on an originating summons to which an appearance is required to be entered and accordingly Fee No. 27 shall be transferred from Section II to Section I of the said Schedule 1 and shall stand as Fee No. 10A.

5. The fee payable on a summons for bail shall be £1 0s. 0d. and accordingly the following fee shall be inserted in Section III of the said Schedule 1 after Fee No. 43 :—

Item	Fee	Document to be stamped
	£ s. d.	
" 43A. On sealing a summons for bail ...	1 0 0	The summons."

6. The fee payable in Admiralty proceedings on an appeal to a Judge in chambers shall be £1 0s. 0d. and accordingly the following fee shall be inserted in Section IV(B) of the said Schedule 1 after Fee No. 55 :—

Item	Fee	Document to be stamped
	£ s. d.	
" 55A. On sealing a notice of appeal from the Registrar or a District Registrar to a Judge in chambers	1 0 0	The notice."

7. This Order shall come into operation on 1st January 1964 and may be cited as the Supreme Court Fees (Amendment) Order 1963.

Dated 11th December 1963.

Dilhorne, C.
Parker of Waddington, C.J.
J. E. S. Simon, P.
Geoffrey Cross, J.

John Peel,
Martin McLaren,
Two of the 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 makes amendments to the Supreme Court Fees Order 1961 consequential upon the coming into operation on 1st January 1964 of the revised Rules of the Supreme Court. In addition, paragraph 2 of the Order provides for a lower fee (£1 instead of £4) on an originating summons for the payment out of court of a sum not exceeding £200; paragraph 5 prescribes the same fee (£1) on a bail summons as is payable on an ordinary interlocutory summons and paragraph 6 prescribes a £1 fee in Admiralty proceedings on an appeal from a registrar to a judge in chambers.