STATUTORY INSTRUMENTS

1961 No. 2307 (L. 7)

SUPREME COURT OF JUDICATURE, ENGLAND

FEES AND STAMPS

The Supreme Court Fees Order, 1961

Made - - - - 4*th December*, 1961
Coming into Operation 1*st January*, 1962

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(3) 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. The Interpretation Act, 1889(d), shall apply to the interpretation of this Order in the same manner as it applies to the interpretation of an Act of Parliament.

2. In this Order, unless the context otherwise requires:—

(1) An Order or Rule referred to by number means the Order or Rule so numbered in the Rules of the Supreme Court.

(2) A fee referred to by number means the fee so numbered in the First Schedule to this Order.

(3) A section referred to by number in section IX of the First Schedule to this Order means the section so numbered in the Companies Act, 1948.

3. The fees set out in the second column of the First Schedule to this Order shall be taken in the Supreme Court in respect of the items set out in the first column of the said Schedule.

4. The provisions of this Order shall not apply to:—

(i) Non-contentious probate business;

(ii) Proceedings in bankruptcy;

(iii) Proceedings in the Court of Protection, except insofar as any fee prescribed in section VII of the First Schedule to this Order is applicable;

(iv) The enrolment of documents;

(a) 15 & 16 Geo. 5. c. 49.
(b) 11 & 12 Geo. 6. c. 38.
(c) 42 & 43 Vict. c. 58.
(d) 52 & 53 Vict. c. 63.

(v) Criminal proceedings (except proceedings on the Crown side of the Queen's Bench Division to which the scale contained in the said Schedule is applicable);

(vi) Proceedings by sheriffs, under-sheriffs, deputy-sheriffs, or other officers of the sheriff.

5. Where it appears to the Lord Chancellor that the payment of any fee specified in the First Schedule to this Order would, owing to the exceptional circumstances of the particular case, involve undue hardship, the Lord Chancellor may reduce or remit the fee in that case.

6. (1) Where by any convention entered into by Her Majesty with any foreign power it is provided that no fee shall be required to be paid in respect of any proceedings, the fees specified in this Order shall not be taken in respect of those proceedings.

(2) The fees specified in this Order shall be remitted if paid out of money provided by Parliament and not recovered as costs from another party under an order of the court.

7. (1) The fees prescribed by this Order shall, subject to the provisions of this paragraph, be taken by impressed stamps.

(2) Fee No. 64 may be taken by impressed or adhesive stamps.

(3) Fee No. 58 may, and Fees Nos. 59, 60 and 74 shall, be taken by transfer from money in Court.

(4) The document to be stamped shall be the document indicated in the third column of the First Schedule to this Order.

(5) In the District Registries of the High Court, the fees prescribed by this Order shall be taken in cash:

Provided that, on setting down a cause or matter with the associate of a circuit, the fee payable shall be taken by impressed or adhesive stamps.

8. In the case of the following fees payable in the Chancery Division, namely Fees Nos. 29, 30, 31 and 32—

(*a*) payment shall be made at such time as the court or a Judge may direct;

(*b*) if payment is postponed until after the certificate has been filed, the fee shall be stamped on a praecipe or such document as the court or a Judge may direct;

(*c*) the court or a Judge may direct the party having conduct of the proceedings to make a deposit of stamps on account of the fees which may become payable;

(*d*) if an account or inquiry is not completed, the party having conduct of the proceedings shall pay such fee as the Judge may direct to be stamped on a præcipe or such other document as he may prescribe.

9. For the purposes of this Order, an impressed stamp means an impressed judicature fee stamp, and an adhesive stamp means an adhesive judicature stamp.

10. Every adhesive stamp used in pursuance of this Order shall be cancelled by the proper officer of the Supreme Court in manner following, that is to say, every such stamp shall be defaced in indelible ink by a hand stamp bearing the word "Cancelled" and the date of cancelling.

11. In the case of fees on proceedings for or in the winding-up of a company—

(*a*) where the stamp is to be impressed, the party presenting the document for stamping shall inform the stamping officer, by means of an indication on the document (such as "Companies Court") or otherwise, that the fee relates to such proceedings; and

(*b*) where the stamp is to be adhesive, it shall be a stamp on which the words "Companies Winding-up" are printed.

12. The Orders set out in the Second Schedule to this Order are hereby revoked, save as to any fee or percentage due or payable before the commencement of this Order.

13. This Order may be cited as the Supreme Court Fees Order, 1961, and shall come into operation on the first day of January, 1962.

Dated this fourth day of December, 1961.

Kilmuir, C.
Parker of Waddington, C.J.
Eversheld, M.R.
Merriman, P.
Charles Russell, J.

W. S. I. Whitelaw
John Hill
} Lords Commissioners of Her Majesty's Treasury.

FIRST SCHEDULE

Section	I	Fees payable in every Division of the High Court.
Section	II	Fees payable in the Chancery Division.
Section	III	Fees payable in the Queen's Bench Division.
Section	IV	Fees payable in the Probate, Divorce and Admiralty Division.
Section	V	Fees payable in the Court of Appeal.
Section	VI	Fees payable on filing, searches for, inspection and copies of documents.
Section	VII	Fees payable in the Supreme Court Pay Office.
Section	VIII	Fees payable on the taxation of costs.
Section	IX	Fees payable on proceedings under the Companies Act, 1948.
Section	X	Miscellaneous fees.

SECTION I

FEES PAYABLE IN EVERY DIVISION OF THE HIGH COURT

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
Commencement of a cause or matter		
1. On sealing a writ of summons for the commencement of an action—		
(*a*) where the claim is for a liquidated sum not exceeding £100	4 0 0	
(*b*) in any other case	5 0 0	The filed copy.
2. On sealing an originating summons, except one to which Fee No. 50 relates	4 0 0	The filed copy.
3. On sealing a concurrent or renewed writ of summons or a concurrent originating summons	0 10 0	The praecipe.
4. On sealing an amended writ of summons or an amended originating summons	0 10 0	The filed copy.
5. On presenting an originating petition, except where Fee No. 49 or a fee under section IX of this schedule is payable	4 0 0	The petition.
6. On sealing an originating notice of motion, except a notice of appeal to the High Court or a notice under Rule 36 (1) of the Matrimonial Causes Rules, 1957	6 0 0	The notice of motion.
7. On amending an originating petition (other than a petition on which Fee No. 49 has been paid or is payable) or an originating notice of motion on which Fee No. 6 has been paid or is payable	0 10 0	The amended petition or notice.
8. On an originating ex parte application where no other fee is specifically prescribed—	2 0 0	The affidavit filed in support of the application.
Provided that, where the applicant is directed to issue an originating summons, credit for the fee paid on the ex parte application is to be given against the fee payable on the summons.		
Interlocutory applications etc.		
9. On an ex parte application		
(*a*) for leave to serve process out of the jurisdiction or by a substituted mode of service or to dispense with service thereof, or		The affidavit filed in support of the application, or, if there is no affidavit, the praecipe.
(*b*) for a garnishee or charging order nisi	1 0 0	

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First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
10. On sealing (*a*) a summons, or (*b*) a notice under Order XXX, Rule 7 (3)	1 0 0	The summons or notice.
11. On filing a notice of motion (except a motion for judgment) or a case on motion where no notice is filed	2 0 0	The notice or case.
12. On sealing a notice under Order XVIA, Rule 2, 11 or 12	2 0 0	The filed copy.
13. On bespeaking a request for the service of process or notice thereof out of the jurisdiction	2 0 0	The praecipe or request.
14. On sealing a commission or letter of request for the examination of witnesses abroad	2 0 0	The praecipe or request.
15. On the examination of a witness, including a judgment debtor, before an officer of the court	2 0 0	The praecipe.
Entry or setting down for trial in court		
16. On setting down a cause on motion for judgment	5 0 0	The praecipe or notice of motion.
17. On entering or setting down a cause or matter in the Short Cause List or entering a Probate action as a short cause	5 0 0	The filed copy of pleadings.
18. On filing a special case under Order XXXIV and setting it down for hearing	6 0 0	The praecipe.
19. On filing (*a*) notice of appeal to the High Court (including a notice under Rule 36 (1) of the Matrimonial Causes Rules, 1957), or (*b*) a case stated or a special case for the opinion of the High Court pursuant to statute and setting the appeal or case down for hearing	6 0 0	The notice or case.
20. On setting down a matrimonial cause for hearing as an undefended cause	5 0 0	The praecipe.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
21. On entering or setting down any other cause or matter, including a reference to an Official Referee, for trial, hearing or further consideration in court, except where—		
(*a*) it is otherwise provided in this Schedule, or		
(*b*) Fee No. 6, 83, 84 or 85 has been paid, or		
(*c*) in the case of a reference to an Official Referee, this fee has already been paid in respect of the same cause or matter	6 0 0	The praecipe or the filed copy of the pleadings or the notice of trial.
Writs		
22. On sealing a writ of subpoena ad testificandum or duces tecum, for each witness	0 5 0	The praecipe.
23. On sealing a writ of execution (including a writ of attachment)	1 0 0	The praecipe.

SECTION II

FEES PAYABLE IN THE CHANCERY DIVISION

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
24. On presenting a petition of course	2 0 0	The petition.
25. On filing a scheme pursuant to statute	2 0 0	The scheme.
26. On filing a memorandum of service of notice of judgment	1 0 0	The memorandum.
27. On sealing a notice for attendance at chambers on an originating summons to which an appearance is required to be entered	0 10 0	The notice or the filed copy thereof.
28. On adjourning from chambers into court		
(*a*) an originating summons	4 0 0	
(*b*) any other summons or a notice under Order XXX, Rule 7 (3)	2 0 0	The summons, notice or sealed copy thereof.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
29. On the sale, mortgage or purchase of (*a*) any land or hereditaments, or (*b*) any business (including the goodwill thereof), or (*c*) any chattels confirmed or approved by order or certificate, for every £100 or fraction of £100 of the price, mortgage money or purchase money up to £500,000 (subject to a minimum fee of £1): Provided that— (1) In the case of a sale, for the purpose of calculating the amount of this fee any sum payable out of the price to a mortgagee or other person entitled to a charge, estate or interest on or in the property sold, who though consenting to or concurring in the sale is not a party to or bound by the proceedings, is to be deducted from the price. (2) If for any reason after payment of this fee on a sale, the sale is not completed and the property is subsequently sold to another purchaser, credit is to be given for the fee already paid on the abortive sale against the fee payable on the completed sale; but in no case is any part of the fee paid on the abortive sale to be repaid. (3) If Fee No. 30 (*b*), 31 (*b*) or 32 has been paid or is payable in respect of the property ordered to be sold or any part thereof, then such property or such part thereof (as the case may be) shall be exempt from the payment of this fee. (4) Where leave is given to sell at a minimum price, this fee is payable as if the order giving leave were an order for sale at that price.	£ s. d. 0 2 0	The certificate, or, if there is no certificate, the summons or other document by which the order was sought.
30. On taking an account of moneys (*a*) received by a person liable to account therefor, or (*b*) due to any person, for every £100 or fraction of £100 of the amount received or found due, up to £500,000 (subject to a minimum fee of £1): Provided that— (1) In the taking of an account of moneys received as in (*a*) above, this fee	0 2 0	The certificate.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
is not payable on moneys being proceeds of sale on which Fee No. 29 has been paid, or estate, property or assets on which Fee No. 32 has been paid. (2) In a debenture holders' action no fee is payable for taking an account of what is due to the debenture holders.		
31. On an inquiry (*a*) as to damages, or (*b*) to ascertain the person or persons interested in any property, for every £100 or fraction of £100 of the amount certified or of the value of the property up to £500,000 (subject to a minimum fee of £1):	0 2 0	The certificate.
Provided that, if Fee No. 29 or 30(*a*) has been paid or is payable in respect of the property or any part thereof, such property or part thereof shall be exempt from payment under paragraph (*b*) of this fee.		
32. On ascertaining pursuant to an order (*a*) the estate, or outstanding estate, of any person, or (*b*) any property subject to a trust, mortgage or charge, or (*c*) any partnership assets, for every £100 or fraction of £100 of the amount or value thereof up to £500,000 (subject to a minimum fee of £1):	0 2 0	The certificate.
Provided that the amount on which this fee is payable shall not include any outstanding bad or irrecoverable debts or any sum on which Fee No. 29, 30 (*a*) or 31 (*b*) has been paid or is payable, but shall include all sums paid after the commencement of the proceedings to creditors or to persons beneficially interested.		
33. On an order for payment or transfer out of court of any funds standing to the credit of an account which has not been dealt with (otherwise than by continuous investment or placing on deposit of dividends) for a period of at least five years, or, in the case of an account of an		

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
infant, for at least five years after the infant has attained 21,	£ s. d.	
for every £100 or fraction of £100 of the actual value ordered to be paid or transferred out:	0 5 0	The summons or other document by which the order was sought.
Provided that— (1) In calculating this fee, if the funds have been the subject of an inquiry the certificate of which was dated after the commencement of the period, credit is to be given for the amount paid under Fee No. 31 or for the portion thereof attributable to the funds ordered to be paid or transferred out of court. (2) This fee shall be impressed after the order has been made but before it is perfected.		
34. On settling		
(*a*) an arrangement approved by the court under section 1 of the Variation of Trusts Act, 1958	10 0 0	
(*b*) a scheme		
(i) for the management of a charity, or where the amount involved does not exceed £1,000	4 0 0	The certificate, or, if there is no certificate, the summons or other document by which the order was sought.
(ii) in any other case:	10 0 0	
Provided that, if there is no certificate, this fee shall be impressed after the order has been made but before it is perfected.		
35. On a certificate of a Master or District Registrar (*a*) in the case of a certificate, endorsed on an order, of completion of security—		
(i) by undertaking	0 10 0	The indorsement on the order.
(ii) in any other case	1 0 0	
(*b*) in the case of any other such certificate (in addition to any amount payable under Fees Nos. 29-33 inclusive)	1 0 0	The certificate.
36. On signing, settling, or approving an advertisement	1 0 0	The draft advertisement.
37. On settling a lodgment schedule for payment into court of purchase or other money	0 10 0	The schedule.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
38.—(*a*) On referring a bill of costs to a Taxing Master from chambers without an order	0 10 0	The reference.
(*b*) On assessing costs		
(i) where the amount assessed does not exceed £5	0 5 0	
(ii) where the amount assessed exceeds £5, but does not exceed £100, for every £1 or fraction of £1	0 1 0	
(iii) where the amount assessed exceeds £100		
for the first £100	5 0 0	
for every £2 or fraction thereof over £100	0 1 0	The bill.
39. On a reference to the conveyancing counsel of the court	1 0 0	The reference.
40. On settling		
(*a*) a deed or other instrument, or		
(*b*) particulars and conditions of sale, whether together or separately	2 0 0	The draft.
41. On fixing the reserve on a sale out of court	2 0 0	The proposed reserve.

SECTION III

FEES PAYABLE IN THE QUEEN'S BENCH DIVISION

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
42. On an application by a Justice of the Peace (other than a stipendiary magistrate) to take the oath of allegiance and judicial oath	5 0 0	The oath.
43. On a reference to a Master or a District Registrar for inquiry or trial, including the hearing of a summons under section 17 of the Married Women's Property Act, 1882, adjourned for the examination of witnesses	2 0 0	The order, summons or certificate.
44. On sealing a notice of appeal from a Master or District Registrar to a Judge in chambers	1 0 0	The notice.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
45. On taking a receiver's account,		
(*a*) where the amount received is less than £50	0 10 0	The account or certificate.
(*b*) in every other case	1 0 0	

SECTION IV

FEES PAYABLE IN THE PROBATE, DIVORCE AND ADMIRALTY DIVISION

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
(A) PROBATE AND DIVORCE FEES		
Probate		
46. On sealing a subpoena under section 23 of the Court of Probate Act, 1858	1 0 0	The praecipe.
47. On settling and sealing a citation	1 0 0	The praecipe.
48. On taking an account of an administrator and receiver pending suit or other person liable to account, for every £100 or fraction of £100 received without deducting any payments (subject to a minimum fee of £1)	0 2 0	The account.
Divorce		
49. On filing a petition	5 0 0	The petition.
50. On sealing an originating summons for leave to present a petition for divorce within three years of the date of the marriage	1 0 0	The filed copy.
51. On an appointment before a Registrar, except for the hearing of a summons	2 0 0	The fee sheet.
52. On signing, settling or approving an advertisement	0 10 0	The draft advertisement.
53. For a certificate under the hand of a Judge or one of the Registrars of the Principal Probate Registry or a District Registrar (other than a certificate under Rule 30 of the Matrimonial Causes Rules, 1957), where no other fee is prescribed under this Schedule	0 5 0	The fee sheet.

First Column	Second Column			Third Column
Item	Fee			Document to be Stamped
	£	s.	d.	
(B) ADMIRALTY FEES				
In the Admiralty Registry				
54. On filing				
(*a*) a consent to release	1	0	0	The consent.
(*b*) a notice under Order XXII, Rule 21 or Order XXIX, Rules 2, 8 or 12	1	0	0	The notice.
(*c*) an agreement under Order LII, Rule 23	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*) a notice under Order LXVII, Rule 10	1	0	0	The notice.
(*g*) any other document	0	5	0	The document filed.
55.—(*a*) On entering a reference for hearing by the Registrar	6	0	0	
(*b*) Such further fee for any Trinity Master, merchant or assessor as the Registrar may consider reasonable				The praecipe.
56. On a certificate by the Registrar as to a judgment or order	1	0	0	The certificate.
In the Marshal's Office				
57. On lodging with the Marshal any instrument under Order LXVII, Rule 10	4	0	0	The instrument.
58. On the appointment and swearing of appraisers	2	0	0	The certificate of appraisement (unless paid like Fees Nos. 59 and 60).
59. On the delivery of a ship or goods to a purchaser	4	0	0	These fees are paid by transfer from the proceeds in court to the account of fees on proceedings.
60. On the sale of a ship or goods for every £100 or fraction of £100 of the price	1	0	0	
61. For attending the discharge of a cargo or the removal of a ship or goods for each day of attendance	5	0	0	The Marshal's certificate of execution.

SECTION V

FEES PAYABLE IN THE COURT OF APPEAL

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
62. On filing a notice of appeal		
(*a*) from a county court		
(i) if the appeal is entered in an interlocutory list	4 0 0	
(ii) if the appeal is entered in any other list	6 0 0	
(*b*) in any other case		
(i) if the appeal is entered in an interlocutory list	5 0 0	
(ii) if the appeal is entered in any other list	10 0 0	The notice of appeal.
63. On filing a notice of cross-appeal		
(*a*) if the appeal is entered in an interlocutory list	2 0 0	
(*b*) if the appeal is entered in any other list	4 0 0	The notice of cross-appeal.

SECTION VI

FEES PAYABLE ON FILING, SEARCHES FOR, INSPECTION AND COPIES OF DOCUMENTS

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
Filing		
64. On filing an affidavit or any other document in any office of the Supreme Court (unless otherwise provided by this Schedule):	0 5 0	The document filed.
Provided that, save in the case of an affidavit stamped with Fee Nos. 8, 9 or 91, this fee is not payable on filing		
(*a*) a document already stamped with a fee prescribed in this schedule, or		

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
(*b*) a notice withdrawing a cause or an appeal, or (*c*) an affidavit contained in the same document as a petition, answer or subsequent pleading in a matrimonial cause or matter, or (*d*) a notice of application to make a decree absolute, or (*e*) an answer in a matrimonial cause or matter.		
65. On a search for (*a*) an appearance or an affidavit, or (*b*) a decree in a matrimonial cause or matter and inspecting the same	0 2 6	The search ticket or fee sheet.
66. On any other search (except where Fee No. 93 is payable or the search is made under section 16 of the Bills of Sale Act (1878) Amendment Act, 1882), including inspection, for each half-hour or part thereof occupied	0 5 0	The search ticket or fee sheet.
67. For a certificate of appearance, or of a pleading, affidavit, or proceeding having been entered, filed, or taken, or of the negative thereof, unless otherwise provided	0 5 0	The certificate.
68. For a certificate pursuant to Order LXI, Rule 24	1 0 0	The request.
Copies of Documents		
69. For a photographic copy of all or part of any document (other than a copy on which Fee No. 71 is payable), whether or not issued as an office copy, for each photographic sheet:		
(*a*) not over foolscap size	0 2 0	The copy, fee sheet or search ticket.
(*b*) over foolscap size	0 4 0	

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
70. For a typewritten copy of any document, for each folio	0 0 9	
and for each folio of any additional carbon copy bespoken	0 0 4	
(subject in any case to a minimum fee of 2s. 6d.)		The fee sheet or search ticket.
71. For a photographic or office copy of any decree in a matrimonial cause or of a certificate that such a decree has been made absolute	0 5 0	The fee sheet or search ticket.
72. For examining a plain copy and marking the same as an office copy:—		
(*a*) in the case of a photographic copy—for each sheet	0 2 0	
(*b*) in any other case—for each sheet	0 2 6	The office copy.
73. For a copy in a foreign language and for a copy of a plan, map, section, drawing, photograph, or diagram:		
the reasonable cost thereof as certified by the officer of the court		The praecipe or copy.

SECTION VII

FEES PAYABLE IN THE SUPREME COURT PAY OFFICE

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
74. For keeping an account of funds in court which have not been dealt with (otherwise than by the continuous investment or placing on deposit of interest) for at least 15 years, and have been carried over to the account of unclaimed balances,		This fee is paid by transfer from funds in Court to the account of fees on unclaimed balances.
per £100 of the value of the funds when carried over:	1 0 0	
Provided that—		
(1) This fee is payable out of the funds at the end of the said period.		

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
(2) In the case of an account of an infant, this fee is not payable till after such further period, if any, in addition to the 15 years, as will extend to five years after the infant has attained 21; or, if the date of the birth of the infant is unknown, till after a further period, in addition to the 15 years, of 10 years.		
75. On a request for		
(*a*) a certificate of		
(i) the amount and description of any fund	0 5 0	
(ii) lodgment in court of any fund	0 5 0	
(iii) non-lodgment in court of any fund	0 10 0	
(iv) any transaction for which no other fee is prescribed	0 5 0	The request.
(*b*) the redating of a certificate of the amount and description of any fund	0 2 6	The certificate.
(*c*) a transcript of an account, for each opening:	0 5 0	The transcript.
Provided that the fees prescribed in paragraphs (*a*) (i), (*b*) and (*c*) shall not be payable in respect of any matter in the Court of Protection.		
76.—(*a*) On paying, lodging, transferring or depositing funds in court without an order, or in addition to an amount directed by an order to be paid in; or		
(*b*) On paying out of court any money without an order	0 5 0	The request.
77. On a request for information in writing		
(*a*) relating to—		
(i) an account which has been closed for upwards of 15 years, or		
(ii) a fund which has not been dealt with for upwards of 15 years		
where the account or fund is identified in the request by reference to the relevant cause or matter	0 5 0	
(*b*) where no account or fund is specified in the request	0 10 0	The request.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
78. On a lodgment in court on an affidavit under the Trustee Act, 1925	0 10 0	The office copy of the schedule to the affidavit.
79. On preparing a power of attorney	0 10 0	The power of attorney.

SECTION VIII

FEES PAYABLE ON THE TAXATION OF COSTS

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
80. On taking a cash account between solicitor and own client under the Solicitors' Act, 1957, or otherwise—		
for every £100 or fraction of £100 of the amounts found to have been received and paid	0 1 0	The fee sheet.
81. On the taxation of a bill of costs—		
(*a*) where the amount allowed does not exceed £5	0 5 0	
(*b*) where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction of £1	0 1 0	
(*c*) where the amount allowed exceeds £100		
(i) for the first £100	5 0 0	
(ii) for every £2 or fraction thereof over £100:	0 1 0	The bill.
Provided that the taxing officer may in any case require the bill of costs to be stamped before taxation with the whole or part of the amount of fees which would be payable if the bill were allowed by him at the full amount thereof (including, in cases under the Solicitors Act, 1957, the fee payable in respect of the cash account).		

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
82. On the withdrawal of a bill of costs which has been lodged for taxation, such fee (not exceeding the amount which would have been payable under Fee No. 81 if the bill had been allowed in full) as shall appear to the Taxing Master (or Registrar of the Probate Divorce and Admiralty Division or District Registrar, as the case may be) to be fair and reasonable		The bill.

SECTION IX

PROCEEDINGS UNDER THE COMPANIES ACT, 1948

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
83. On presenting a petition under one or more of the following:—		
(*a*) section 56, to confirm the reduction of a share premium account,		
(*b*) section 57, to sanction the issue of shares at a discount,		
(*c*) section 67, to confirm a reduction of a capital redemption reserve fund,		
(*d*) section 67, to confirm a reduction of capital, or		
(*e*) section 206, to sanction a compromise or scheme of arrangement	10 0 0	The petition.
84. On presenting a petition under one or more of the following:—		
(*a*) section 5, to cancel an alteration of objects,		
(*b*) section 23, to cancel an alteration in conditions in a memorandum of association,		
(*c*) section 72, to cancel any variation of the rights attached to any class of shares,		

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
(*d*) section 353, to restore a name to the register of companies, (*e*) section 395, to cancel an alteration in the form of the constitution of a company, or (*f*) section 448, for relief by officers of a company	6 0 0	The petition.
85. On presenting a petition for the winding-up of a company by or under the supervision of the court, or for an order under section 210	6 0 0	The petition.
86. On a certificate as to debts under sections 5, 23, 56, 58, 67 or 208	10 0 0	The certificate.
87. On an inspection of a file of proceedings under Rule 19 of the Companies (Winding-up) Rules, 1949, by a person not entitled to inspect free of charge	0 5 0	The application.
88. On proof of a debt above £5 (other than a proof for workmen's wages)	0 2 6	The proof.

SECTION X

MISCELLANEOUS FEES

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
Distringas		
89. (*a*) On filing a notice under Order XLVI, Rule 4	1 0 0	The notice.
(*b*) On amending the same	0 5 0	The amended notice.
Registration of Judgments		
90. Under the Judgments Extension Act, 1868,		
(*a*) on a certificate of a judgment for registration in Scotland or Northern Ireland	1 0 0	The praecipe.
(*b*) on registration of a certificate issued by a Scottish or Northern Irish court	1 0 0	The certificate.
91. Under Part II of the Administration of Justice Act, 1920, or the Foreign Judgments (Reciprocal Enforcement) Act, 1933, or the Maintenance Orders Act, 1950,		

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
(*a*) on an ex parte application to register a judgment or order	1 0 0	The affidavit filed in support of the application.
(*b*) on a certified copy of a judgment or order	1 0 0	The copy.
Bills of Sale		
92. On filing		
(*a*) a bill of sale and affidavit therewith, when the consideration (including further advances)		
(i) does not exceed £100	0 10 0	
(ii) exceeds £100 but does not exceed £200	1 0 0	
(iii) exceeds £200	2 0 0	The bill of sale.
(*b*) an affidavit of re-registration of a bill of sale or other document under the Bills of Sale Acts, 1878 and 1882	1 0 0	The affidavit.
(*c*) a fiat of satisfaction	0 10 0	The fiat.
(*d*) any other document under the Bills of Sale Acts	1 0 0	The document filed.
93. (*a*) For an official certificate of the result of a search in one name in any register or index under the custody of the Registrar of bills of sale	0 10 0	
for every additional name, if included in the same certificate	0 5 0	
(*b*) For a continuation search, if made within one calendar month of date of official certificate (the result to be endorsed on each certificate)	0 5 0	The requisition for search.
Commissions etc.		
94. On sealing or issuing a commission to take oaths or affidavits in the Supreme Court	10 0 0	The commission or certificate.
95. Upon an application for the production of records or documents to be given in evidence—		
(*a*) where the records or documents are sent by post—		
for the first document	0 10 0	The application.
for each additional document	0 2 6	The application.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
	£ s. d.	
(*b*) Where an officer is required to produce the records or documents in court	1 0 0	
and, in addition,		
(i) for every half-day or part thereof that he is necessarily absent from his office	2 0 0	
(ii) his reasonable expenses of attendance:		The application or fee sheet.
Provided that the officer may require—		
(1) a deposit of stamps on account of any further fees and a deposit of money on account of any further expenses which may probably become payable beyond the amount paid for fees and expenses on the application, and the officer or his clerk taking such deposit shall thereupon make a memorandum thereof on the application;		
(2) an undertaking in writing to pay any further fees and expenses which may become payable beyond the amounts so paid and deposited.		
96. On taking an affidavit or an affirmation or attestation upon honour in lieu of an affidavit or a declaration, except for the purpose of receipt of dividends from the Accountant-General, for each person making the same	0 5 0	
And in addition thereto, for each exhibit therein referred to and required to be marked	0 2 0	The affidavit, affirmation, or declaration.
97. (*a*) On approving		
(i) a guarantee	1 0 0	The guarantee.
(ii) an undertaking in lieu of a guarantee	0 10 0	The undertaking.
(*b*) (i) On vacating a guarantee	1 0 0	When the vacating or discharge is conditional, the duplicate of the order.

First Column	Second Column	Third Column
Item	Fee	Document to be Stamped
(ii) on discharging an undertaking in lieu of a guarantee	0 10 0	When the vacating or discharge is unconditional, the summons or other document by which the order was sought.
Provided that, when the vacating or discharge is unconditional, Fee 97 (*b*) shall be impressed after the order has been made but before it is perfected.		
98. On sealing or issuing any document, not being a judgment or order, where no other fee is prescribed by this Schedule:	0 10 0	The document sealed or issued or praecipe.
Provided that this fee is not payable on a writ of habeas corpus.		

SECOND SCHEDULE

Orders Revoked

The Supreme Court Fees Order, 1930(a);
The Supreme Court Fees (War Loan) Order, 1932(b);
The Supreme Court Fees (Amendment) Order, 1934(c);
The Supreme Court Fees (Amendment No. 2) Order, 1934(d);
The Supreme Court Fees (Amendment) Order, 1938(e);
The Supreme Court Fees (Amendment) Order, 1941(f);
The Supreme Court Fees (Amendment) Order, 1942(g);
The Supreme Court Fees (Amendment) Order, 1943(h);
The Supreme Court Fees (Amendment) Order, 1946(i);
The Supreme Court Fees (Amendment) Order, 1947(j);
The Supreme Court Fees (Amendment No. 2) Order, 1947(k);
The Supreme Court Fees (Amendment) Order, 1948(l);
The Supreme Court Fees (Amendment No. 2) Order, 1948(m);
The Supreme Court Fees (Amendment) Order, 1949(n);
The Supreme Court Fees (Amendment) Order, 1950(o);
The Supreme Court Fees (Amendment) Order, 1956(p);
The Supreme Court Fees (Amendment) Order, 1958(q);
The Supreme Court Fees (Amendment) Order, 1959(r);
The Supreme Court Fees (Amendment) Order, 1960(s);
The Supreme Court Fees (Amendment) Order, 1961(t).

(a) S.R. & O. 1930/579 (1930, p. 1728).
(b) S.R. & O. 1932/516 (1932, p. 1687).
(c) S.R. & O. 1934/451 (1934 II, p. 605).
(d) S.R. & O. 1934/838 (1934 II, p. 608).
(e) S.R. & O. 1938/1574 (1938 II, p. 3186).
(f) S.R. & O. 1941/1068 (1941 I, p. 1122).
(g) S.R. & O. 1942/2033 (1942 I, p. 806).
(h) S.R. & O. 1943/1574 (1943 I, p. 937).
(i) S.R. & O. 1946/1308 (1946 I, p. 1585).
(j) S.R. & O. 1947/749 (1947 I, p. 2085).
(k) S.R. & O. 1947/2722 (1947 I, p. 2086).
(l) S.I. 1948/1269 (1948 I, p. 4057).
(m) S.I. 1948/2704 (1948 I, p. 4058).
(n) S.I. 1949/1660 (1949 I, p. 3999).
(o) S.I. 1950/590 (1950 II, p. 896).
(p) S.I. 1956/503 (1956 II, p. 2333).
(q) S.I. 1958/160 (1958 II, p. 2265).
(r) S.I. 1959/2262 (1959 II, p. 2527).
(s) S.I. 1960/2171 (1960 III, p. 3121).
(t) S.I. 1961/1085 (Pt. II, p. 2067).

EXPLANATORY NOTE

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

This Order revokes the Supreme Court Fees Order, 1930, as subsequently amended, and substitutes new fees for proceedings in the Supreme Court. The Order raises the general level of fees, so that the amounts are, in most cases, approximately double the corresponding amounts fixed by the 1930 Order. It amends some fees so as to accord with modern practice and procedure; it merges others and it omits a number of obsolete items, thereby reducing their total number.

The fee on a writ of summons (Fee No. 1) is raised from £3 to £4 where the claim does not exceed £100, and in other cases from £4 to £5. The fee on filing a divorce petition (No. 49) is raised from £3 to £5. Fees (Nos. 18, 19 and 21) payable on setting down for trial or hearing in the High Court are raised from £2 to £6, save in the case of setting down for judgment (No. 16), or as a short cause (No. 17), or in the undefended divorce list (No. 20), where the fee is raised to £5. The fees on judgments and orders are abolished, including additional fees payable on hearings which occupy more than one day.