STATUTORY INSTRUMENTS

1961 No. 2186 (L. 5)

SUPREME COURT OF JUDICATURE, ENGLAND

FEES AND STAMPS

The Supreme Court (Non-Contentious Probate) Fees Order, 1961

Made - - - - 14*th November*, 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), 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, consent to and concur in the following Order:—

1. The following amendments shall be made in the Supreme Court (Non-Contentious Probate) Fees Order, 1958(c):—

(1) In sub-paragraph (3) of paragraph 4 the words "The fees prescribed by this Order" shall be substituted for the words "Fee No. 3".

(2) In Fee No. 1 in the Schedule the item in the scale "500 ... 15 0" shall be omitted.

(3) The following fee shall be substituted for Fee No. 2 in the Schedule:—

"2. On application for a grant of probate or letters of administration by a personal applicant, or for resealing such a grant if the application is prepared in the principal or a district registry, save where Fee No. 3, 4 (*a*) or 6 is payable, in addition to any other fee:—

If the net real and personal estate is stated to be of the value of—

(*a*) £500 or over and under the value of	
£1,000	£1 10 0
£2,000	£2 10 0
(*b*) £2,000 or over	The same fee as would be payable for a grant under Fee No. 1."

(4) The following words shall be inserted at the beginning of Fee No. 3 in the Schedule:—

"Where the death occurred before April 10th, 1946,".

(a) 15 & 16 Geo. 5. c. 49. (b) 42 & 43 Vict. c. 58. (c) S.I. 1958/161 (1958 II, p. 2267).

2. This Order may be cited as the Supreme Court (Non-Contentious Probate) Fees Order, 1961, and shall come into operation on the first day of January, 1962.

Dated the 14th day of November, 1961.

Kilmuir, C.
Parker of Waddington, C.J.
Evershed, M.R.
Merriman, P.

David Gibson-Watt
R. Chichester-Clark
} 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 scales of fees payable on applications for grants of probate or letters of administration where the estate is less than £2,000 in net value. The new scales apply to applications made on or after the 1st January, 1962, including applications to Officers of Customs and Excise under section 33 of the Customs and Inland Revenue Act, 1881 (44 & 45 Vict. c. 12), which is amended as from that date by the Small Estates (Representation) Act, 1961 (9 & 10 Eliz. 2. c. 37), so as to permit such applications where the estate is less than £1,000 in net value and less than £3,000 in gross value and the deceased died on or after the 10th April, 1946.