

Column 1	Column 2
Number and description of fee	Amount of fee
a respondent's notice where the respondent is appealing or wishes to ask the appeal court to uphold the order of the lower court for reasons different from or additional to those given by the lower court:	
(a) in a claim allocated to the small claims track;	£120
(b) in all other claims.	£140
Fees 2.2 and 2.3 do not apply on appeals against a decision made in detailed assessment proceedings.	
2.4(a) On an application on notice where no other fee is specified, except for applications referred to in fee 2.4(b).	£255
2.4(b) On an application on notice where no other fee is specified made—	£155
(i) under section 3 of the Protection from Harassment Act 1997; or	
(ii) for a payment out of funds deposited in court.	
2.5(a) On an application by consent or without notice where no other fee is specified, except for applications referred to in fee 2.5(b).	£100
2.5(b) On an application made by consent or without notice where no other fee is specified made—	£50
(i) under section 3 of the Protection from Harassment Act 1997; or	
(ii) for a payment out of funds deposited in court.	
For the purpose of fee 2.5 a request for a judgment or order on admission or in default does not constitute an application and no fee is payable.	
Fee 2.5 is not payable in relation to an application by consent for an adjournment of a hearing where the application is received by the court at least 14 days before the date set for that hearing.	
Fees 2.4(a) and 2.5(b) are not payable in proceedings to which fees 3.11 and 3.12 apply.	
2.6 On an application for a summons or order for a witness to attend court to be examined on oath or an order for evidence to be taken by deposition, other than an application for which fee 7.2 or 8.3 is payable.	£21
2.7 On an application to vary a judgment or suspend enforcement, including an application to suspend a warrant of possession.	£14
Where more than one remedy is sought in the same application only one fee is payable.	
2.8 Register of judgments, orders and fines kept under section 98 of the Courts Act 2003:	
On a request for the issue of a certificate of satisfaction.	£14
<b>3 Companies Act 1985, Companies Act 2006 and Insolvency Act 1986 (High Court and County Court)</b>	
3.1 On entering a bankruptcy petition:	
(a) if presented by a debtor or the personal representative of a deceased debtor;	£180
(b) if presented by a creditor or other person.	£280
3.2 On entering a petition for an administration order.	£280
3.3 On entering any other petition.	£280
One fee only is payable where more than one petition is presented in relation to a partnership.	
3.4(a) On a request for a certificate of discharge from bankruptcy;	£70
(b) after the first certificate, for each copy.	£10

Column 1	Column 2
Number and description of fee	Amount of fee
3.5 On an application under the Companies Act 1985, the Companies Act 2006 or the Insolvency Act 1986 other than one brought by petition and where no other fee is specified.	£280
Fee 3.5 is not payable where the application is made in existing proceedings.	
3.6 On the conversion of insolvency proceedings into a different type of insolvency proceedings under Article 51 of Regulation (EU) 2015/848 of the European Parliament and of the Council.	£160
3.7 On an application, for the purposes of Regulation (EU) 2015/848 of the European Parliament and of the Council, for an order confirming creditors' voluntary winding up (where the company has passed a resolution for voluntary winding up, and no declaration under section 89 of the Insolvency Act 1986 has been made).	£50
3.8 On filing:	£50
a notice of intention to appoint an administrator under paragraph 14 of Schedule B1 to the Insolvency Act 1986 or in accordance with paragraph 27 of that Schedule; or	
a notice of appointment of an administrator in accordance with paragraphs 18 or 29 of that Schedule.	
Where a person pays fee 3.8 on filing a notice of intention to appoint an administrator, no fee is payable on that same person filing a notice of appointment of that administrator.	
3.9 On submitting a nominee's report under section 2(2) of the Insolvency Act 1986.	£35
3.10 On filing documents in accordance with paragraph 7(1) of Schedule A1 to the Insolvency Act 1986.	£35
3.11 On an application by consent or without notice within existing proceedings where no other fee is specified.	£25
3.12 On an application with notice within existing proceedings where no other fee is specified.	£95
3.13 On a search in person of the bankruptcy and companies records, in the County Court.	£45
Requests and applications with no fee:	
No fee is payable on a request or on an application to the Court by the Official Receiver when applying only in the capacity of Official Receiver to the case (and not as trustee or liquidator), or on an application to set aside a statutory demand.	
<b>4 Copy Documents (Court of Appeal, High Court and County Court)</b>	
4.1 On a request for a copy of a document (other than where fee 4.2 applies):	
(a) for ten pages or less;	£10
(b) for each subsequent page.	50p
Note: The fee payable under fee 4.1 includes:	
where the court allows a party to fax to the court for the use of that party a document that has not been requested by the court and is not intended to be placed on the court file;	
where a party requests that the court fax a copy of a document from the court file; and	
where the court provides a subsequent copy of a document which it has previously provided.	
4.2 On a request for a copy of a document on a computer disk or in other electronic form, for each such copy.	£10
<b>5 Determination of costs (Senior Court and County Court)</b>	
Fee 5 does not apply to the determination in the Senior Courts of costs incurred in the Court of Protection.	

Column 1	Column 2
Number and description of fee	Amount of fee
10.3 On a search in person of the court's records, including inspection, for each 15 minutes or part of 15 minutes.	£11
<b>Judge sitting as arbitrator</b>	
10.4 On the appointment of an eligible High Court judge as an arbitrator or umpire under section 93 of the Arbitration Act 1996.	£610
10.5 For every day or part of a day (after the first day) of the hearing before an eligible High Court judge, so appointed as arbitrator or umpire.	£610
Where fee 10.4 has been paid on the appointment of an eligible High Court judge as an arbitrator or umpire but the arbitration does not proceed to a hearing or an award, the fee will be refunded.	
<b>11 Fees payable in Admiralty matters</b>	
In the Admiralty Registrar and Marshal's Office:	
11.1 On the issue of a warrant for the arrest of a ship or goods.	£18
11.2 On the sale of a ship or goods	
Subject to a minimum fee of £205:	
(a) for every £100 or fraction of £100 of the price up to £100,000;	£1
(b) for every £100 or fraction of £100 of the price exceeding £100,000.	50p
Where there is sufficient proceeds of sale in court, fee 11.2 will be payable by transfer from the proceeds of sale in court.	
11.3 On entering a reference for hearing by the Registrar.	£70
<b>FEES PAYABLE IN HIGH COURT AND COURT OF APPEAL ONLY</b>	
<b>12 Affidavits</b>	
12.1 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 and for a declaration by a shorthand writer appointed in insolvency proceedings:	
for each person making any of the above.	£12
12.2 For each exhibit referred to in an affidavit, affirmation, attestation or declaration for which fee 12.1 is payable.	£2
<b>FEES PAYABLE IN COURT OF APPEAL ONLY</b>	
<b>13 Fees payable in appeals to the Court of Appeal</b>	
13.1(a) Where in an appeal notice, permission to appeal or an extension of time for appealing is applied for (or both are applied for):	£528
on filing an appellant's notice; or	
where the respondent is appealing, on filing a respondent's notice.	
13.1(b) Where permission to appeal is not required or has been granted by the lower court:	£1,199
on filing an appellant's notice, or	
on filing a respondent's notice where the respondent is appealing.	
13.1(c) On the appellant filing an appeal questionnaire (unless the appellant has paid fee 13.1(b), or the respondent filing an appeal questionnaire (unless the respondent has paid fee 13.1(b)).	£1,199

Column 1	Column 2
Number and description of fee	Amount of fee
(t) paragraph 4(2), 6(2), 7(2) or 9(2) of Schedule A1 (applications in respect of enforcement orders);	£95
(u) paragraph 5(2) of Schedule A1 (amendment of enforcement order by reason of change of address);	£72
(v) paragraph 1(1) or (4), 2(1) or (5), 5(6), 6(5), (7) or (8), 8(2), 10(2), 11 or 14(1) of Schedule 1 (financial provision for children);	£215
(w) paragraph 19(1) of Schedule 2 (approval of court for child in care of local authority to live abroad);	£215
(x) paragraph 6 of Schedule 3 (extension of supervision order);	£215
(y) paragraph 15(2) or 17(1) of Schedule 3 (extension or discharge of education supervision order).	£215
(z) paragraph 8(1) of Schedule 8 (appeals concerning foster parenting).	£215
2.2 On an application under section 31 of the Children Act 1989 (care and supervision orders).	£2,055
Notes to fees 2.1 and 2.2	
Where an application requires the permission of the court, the relevant fee is payable when permission is sought but no further fee will be charged if permission is granted and the application is made.	
Where an application is made, permission is sought or an appeal is commenced under or relating to provisions of the Children Act 1989 which are listed in two or more different numbered fees, or require two or more different numbered forms, only one fee is payable, and if those fees are different, only the highest fee is payable.	
Where an application is made, permission is sought or an appeal is commenced under or relating to two or more provisions of the Children Act 1989 which are listed in the same numbered fee, that fee is payable only once.	
Where the same application is made, permission is sought or an appeal is commenced in respect of two or more children, who are siblings or children of the family, at the same time, only one fee is payable in respect of each numbered fee.	
Note to fee 2.2 only	
Where proceedings are consolidated with other proceedings, any fee which falls to be paid after the date on which the proceedings are consolidated is payable only once.	
Where fee 2.2, as it stood immediately before this Order came into force, has been paid before 22nd April 2014 and subsequently a final order is made at a case management conference or case management hearing, £1,360 shall be refunded.	
2.3 On commencing an appeal in relation to proceedings to which the fees listed as 2.1 (a) to (s), (v) to (y) and 2.2 apply.	£215
2.4 On commencing an appeal under paragraph 23(11) of Schedule 2 to the Children Act 1989 (appeal against contribution order).	£215
<b>3 Adoption and wardship applications</b>	
3.1 On applying or requesting permission to apply under any provision in Part 1 of the Adoption and Children Act 2002, other than an application under section 22 of that Act.	£170
3.2 On applying under section 22 of the Adoption and Children Act 2002 (placement order).	£455
3.3 On applying for the exercise by the High Court of its inherent jurisdiction with respect to children.	£170

Column 1	Column 2
Number and description of fee	Amount of fee
<b>Notes to fees 3.1, 3.2 and 3.3</b>	
Fee 3.1 is payable where an application requires the permission of the court when permission is sought, but no further fee will be charged if permission is granted and the application is made.	
Where an application is made or permission is sought at the same time under or relating to two or more provisions in Part 1 of the Adoption and Children Act 2002, other than an application under section 22 of that Act, fee 3.1 is payable only once.	
In relation to fees 3.1 and 3.2, where an application is made or permission is sought at the same time under or relating to provisions of the Adoption and Children Act 2002, only one fee is payable and, if those fees are different, the higher fee 3.2 is payable.	
In relation to fees 3.1, 3.2 and 3.3, where the same application is made or permission is sought at the same time in respect of two or more children who are siblings or children of the same family, only one fee is payable in respect of each numbered fee.	
<b>4 Proceedings under the Children and Adoption Act 2006</b>	
4.1 On an application for a warning notice to be attached to a contact order.	£50
Notes: Where an application is made or permission is sought under or relating to provisions of the Children Act 1989 and the Children and Adoption Act 2006 which are listed in two or more different numbered fees, only one fee is payable.	
Where the same application is made or permission is sought in respect of two or more children at the same time, and those children are siblings or children of the family, only one fee is payable in respect of each numbered fee.	
<b>5 Applications in existing proceedings</b>	
5.1 On an application in existing proceedings without notice or by consent, except where separately listed in this Schedule.	£50
Notes: Fee 5.1 is not payable in relation to an application by consent for an adjournment of a hearing where the application is received by the court at least 14 days before the date set for that hearing.	
Fee 5.1 is not payable on an application to make a decree or order absolute or final, as the case may be, where the applicant has paid fee 1.2.	
Fee 5.1 is payable in proceedings under the Children Act 1989 to which the fees listed at 2.1 apply.	
5.2 On an application under rule 7.19 of the Family Procedure Rules 2010 for the court to consider the making of a decree nisi, conditional order, a decree of judicial separation or a separation order (other than in an undefended case where no fee is payable).	£50
5.3 On an application in existing proceedings on notice, except where separately listed in this Schedule.	£155
Note: Fee 5.3 is payable in proceedings under the Children Act 1989 to which the fees listed at 2.1 apply, except for those at 2.1(t) and (u), where the application fee of £95 is payable.	
5.4 On the filing of— (a) a notice of intention to proceed with an application for a financial order to which rule 9.4(a) of the Family Procedure Rules 2010 applies; or (b) an application for a financial order to which rule 9.4(b) of the Family Procedure Rules 2010 applies, other than an application for a consent order.	£255
<b>6 Appeal</b>	

Column 1	Column 2
Number and description of fee	Amount of fee
6.1 On filing an appeal notice from a district judge, one or more lay justices or a justices' legal adviser.	£125
6.2 On commencing an appeal under section 20 in proceedings under the Child Support Act 1991	£165
<b>7 Searches</b>	
7.1 On making a search in the central index of decrees absolute or of final orders kept at the Principal Registry of the Family Division for any specified period of ten calendar years or, if no such period is specified, for the ten most recent years, and, if appropriate, providing a certificate of decree absolute or of final order, as the case may be.	£65
7.2 On making a search in the central index of parental responsibility agreements kept at the Principal Registry of the Family Division in accordance with regulations made under section 4(2) of the Children Act 1989 and, if appropriate, providing a copy of the agreement.	£45
7.3 On making a search in the index of decrees absolute or of final orders kept at any designated family court or district registry for any specified period of ten calendar years or, if no period is specified, for the ten most recent years, and if appropriate, providing a certificate of decree absolute or of final order, as the case may be.	£45
<b>8 Copy documents</b>	
8.1 On a request for a copy document (other than where fee 8.2 applies)—	
(a) for ten pages or less; and	£10
(b) for each subsequent page.	50p
Note: The fee payable under fee 9.1 includes— – where the court allows a party to fax to the court for the use of that party a document that has not been requested by the court and is not intended to be placed on the court file. – where a party requests that the court fax a copy of a document from the court file. – where the court provides a subsequent copy of a document which it has previously provided.	
8.2 On a request for a copy of a document on a computer disk or in other electronic form, for each such copy.	£10
<b>9 Determination of costs</b>	
9.1 On filing a request for detailed assessment where the party filing the request is legally aided, is funded by the Legal Services Commission or is a person for whom civil legal services have been made available under arrangements made by the Lord Chancellor under Part of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and no other party is ordered to pay the costs of the proceedings.	£94
9.2 On filing a request for detailed assessment in any case where fee 9.1 does not apply; or on filing a request for a hearing date for the assessment of costs payable to a solicitor by a client pursuant to an order under Part 3 of the Solicitors Act 1974 where the amount of the costs claimed—	
(a) does not exceed £15,000;	£335
(b) exceeds £15,000 but does not exceed £50,000;	£675
(c) exceeds £50,000 but does not exceed £100,000;	£1,005
(d) exceeds £100,000 but does not exceed £150,000;	£1,345
(e) exceeds £150,000 but does not exceed £200,000;	£1,680
(f) exceeds £200,000 but does not exceed £300,000;	£2,520
(g) exceeds £300,000 but does not exceed £500,000;	£4,200

Column 1	Column 2
Number and description of fee	Amount of fee
(h) exceeds £500,000.	£5,600
Where there is a combined standard basis and legal aid, or a combined standard basis and Legal Services Commission, or a combined standard basis and Lord Chancellor, or a combined standard basis, and one or more of legal aid, Legal Services Commission or Lord Chancellor determination of costs, fee 9.2 will be attributed proportionately to the standard basis, legal aid, Legal Services Commission or Lord Chancellor (as the case may be) portions of the bill on the basis of the amount allowed.	
9.3 On a request for the issue of a default costs certificate.	£60
9.4 On commencing an appeal against a decision made in detailed assessment proceedings.	£210
9.5 On an application to set aside a default costs certificate.	£110
<b>10 Registration of maintenance orders</b>	
10.2 On an application for a maintenance order to be registered under the Maintenance Orders Act 1950 or the Maintenance Orders Act 1958.	£50
<b>11 Financial Provision</b>	
11.1 Proceedings under the Domestic Proceedings and Magistrates' Courts Act 1978 or Schedule 6 to the Civil Partnership Act 2004 on an application for an order for financial provision (other than an application to vary or revoke such an order, or an application for an order for financial provision made for the benefit of, or against, a person residing outside the United Kingdom).	£215
<b>12 Enforcement</b>	
12.1 On an application to question a judgment debtor or other person on oath in connection with enforcement of a judgment, or on an application to which rule 33.3(2)(b) of the Family Procedure Rules 2010 applies.	£50
12.2 On an application for a third party debt order or the appointment of a receiver by way of equitable execution.	£77
Note: Fee 12.2 is payable in respect of each third party against whom the order is sought.	
12.3 On an application for a charging order.	£38
Note: Fee 12.3 is payable in respect of each charging order applied for.	
12.4 On an application for a judgment summons.	£73
12.5 On an application for an attachment of earnings order to secure money due under an order made in family proceedings.	£34
Fee 12.5 is payable in respect of each defendant against whom an order is sought.	
Fee 12.5 is not payable where the attachment of earnings order is made on the hearing of a judgment summons.	
<b>13 Enforcement in the family court</b>	
13.1 On an application for or in relation to enforcement of a judgment or order by the issue of a warrant of control against goods except a warrant to enforce payment of a fine.	£100
13.2 On a request for further attempt at execution of a warrant at a new address where the warrant has been returned to the court not executed (except where the warrant has been returned after it has been suspended by the court).	£30
13.3 On the issue of a warrant of possession or a warrant of delivery.	£110
Note on fee 13.3: Where the recovery of a sum of money is sought in addition, no further fee is payable.	
<b>14 Enforcement in the High Court</b>	

Column 1	Column 2
Number and description of fee	Amount of fee
14.1 On sealing a writ of control/possession/delivery.	£60
Note on fee 14.1: Where the recovery of a sum of money is sought in addition to a writ of possession and delivery, no further fee is payable.	
14.2 On a request or application to register a judgment or order; or for permission to enforce an arbitration award; or for a certified copy of a judgment or order for use abroad.	£60
<b>15 Service</b>	
15.1 On a request for service by bailiff of any document except—	£45
(a) an order for a debtor to attend the adjourned hearing of a judgment summons;	
(b) a claim to controlled, executed or exempt goods;	
(c) an order made under section 23 of the Attachment of Earnings Act 1971 (enforcement provisions);	
(d) an order for a debtor to attend an adjourned oral examination of means; or	
(e) an application for (and accompanying documentation), or an order for, or an application to vary, extend or discharge—	
(i) a non-molestation order;	
(ii) an occupation order; or	
(iii) a forced marriage protection order,	
under Part 4 or Part 4A of the Family Law Act 1996; or	
(f) an application for (and accompanying documentation), or an order for, or an application to vary or discharge a female genital mutilation protection order under Part 1 of Schedule 2 to the Female Genital Mutilation Act 2003.	
<b>16 Sale</b>	
16.1 For removing or taking steps to remove goods to a place of deposit.	The reasonable expenses incurred.
Fee 16.1 is to include the reasonable expenses of feeding and caring for animals.	
16.2 For the appraisalment of goods.	5p in the £1 or part of a £1 of the appraised value.
16.3 For the sale of goods (including advertisements, catalogues, sale and commission and delivery of goods).	15p in the £1 or part of a £1 on the amount realised by the sale or such other sum as the district judge may consider to be justified in the circumstances.

**MAGISTRATES' COURTS FEES ORDER 2008**

S.I. 2008 No. 1052

The following sets out the Fees payable under the Order (as amended). Last amended on 3 August 2020 by S.I. 2020/720.

**Citation and commencement**

1. This Order may be cited as the Magistrates' Courts Fees Order 2008 and shall come into force on 1st May 2008.

**Fees payable**

2. The fees set out in column 2 of Schedule 1 are payable in magistrates' courts in respect of the items described in column 1 in accordance with and subject to the directions specified in that column.

(1) No fee is payable in respect of—

- (a) criminal proceedings (except for documents that were used in, or result from, criminal proceedings that are subsequently required for civil or family proceedings);
- (b) any summons, warrant, notice or order issued, given or made under sections 83(1) or (2), 88, 89 or 136 of the Magistrates' Courts Act 1980, or under any rule made for the purpose of those provisions; or
- (c) binding over proceedings.

(2) In this article, "binding over proceedings" means any proceedings instituted (whether by way of complaint under section 115 of the Magistrates' Courts Act 1980 or otherwise) with a view to obtaining from a magistrates' court an order requiring a person to enter into a recognizance to keep the peace or to be of good behaviour.

4. Where by any convention entered into by Her Majesty with any foreign power it is provided that no fee is required to be paid in respect of any proceedings, the fees specified in this Order are not payable in respect of those proceedings.

**Remissions and part remissions**

5. Schedule 2 applies for the purpose of ascertaining whether a party is entitled to a remission or part remission of a fee prescribed by this Order.

**Revocations**

6. The instruments listed in column 1 of the table in Schedule 3 (which have the references listed in column 2) are revoked.

**Transitional provision**

7. Fees 10.2(b) and (c) are not payable in respect of an issues resolution hearing, pre-hearing review or final hearing which has been listed on any day between 1st May 2008 and 14th May 2008 inclusive

**Schedule 1: Fees to be taken**

Column 1	Column 2
Number and description of fee	Amount of fee
<b>1 Attendance</b>	
1.1 On an application which requires a justice of the peace to perform a function away from the court premises.	£25
Note: Fee 1.1 is payable in addition to other payable fees.	
<b>2 Appeals</b>	
2.1 On an application to state a case for the opinion of the High Court under section 111(1) of the Magistrates Court Act 1980.	£135
Note: where fee 2.1 is payable, no further fee is payable in respect of the preparation of a draft case by the justices' legal adviser, providing copies, taking recognizance as required by section 114 of that Act and enlargement and renewal of such recognizance.	
2.2 On commencing an appeal against a deduction from earnings order under the Child Support Act 1991—	£19

Column 1	Column 2
Number and description of fee	Amount of fee
2.3 Proceedings under Schedule 5 to the Licensing Act 2003— on commencing an appeal under paragraph 1, 2(2), 3(2)(a), 4(2), 7(2), 8(2)(b), 8A(2)(b), 10, 11(2), 12(2), 13(2)(b), 14, 16(2), 17(1) and (4) or 18(2)(a) of Schedule 5 to the Licensing Act 2003.	£60
2.4 On commencing an appeal where no other fee is specified.	£60
<b>3 Certificates and Certified Documents</b>	
3.1 On a request for a certificate of refusal to state a case.	£105
3.2 Register of judgments, orders and fines kept under section 98 of the Courts Act 2003 on a request for a certificate of satisfaction.	£15
3.3 On a request for a certified copy of a memorandum of conviction.	£20
3.4 On a request for a certificate or certified document where no other fee is specified.	£20
Note: Fee 3.4 includes any copy of a document certified by the court as a genuine copy of the original document.	
<b>4 Liability Orders</b>	
4.1 Proceedings under the Council Tax (Administration and Enforcement) Regulations 1992 or the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989 on an application for a liability order.	50p
Note: Fee 4.1 is payable in respect of each defendant against whom the liability order is sought.	
4.2 Proceedings under the Child Support Act 1991 on an application for a liability order.	£25
Note: Fee 4.2 is payable in respect of each liability order applied for.	
<b>5 Copy Documents</b>	
5.1 On a request for a copy document (other than where fee 5.2 applies)—	
(a) of ten pages or less; and	£10
(b) for each subsequent page.	50p
Note: The circumstances where the fee under 5.1 is payable includes— – where the court allows a party to fax to the court for the use of that party a document that has not been requested by the court and is not intended to be placed on the court file; – where a party requests that the court fax a copy of a document from the court file; and – where the court provides a subsequent copy of a document which it has previously provided.	
5.2 On a request for a copy of a document on a computer disk or in other electronic form, for each such copy.	£10
<b>6 Licences</b>	
6.1 On a request for a licence, consent or authority where no other fee is specified.	£25
6.2 On an application for the renewal or variation of an existing licence.	£25
6.3 On an application for the revocation of a licence where no other fee is specified.	£25
<b>7 Oaths</b>	
7.1 On taking the attestation of a constable or special constable under the Police Act 1996(i).	£10
Note: Fee 7.1 is payable for every attestation made by every constable or special constable at or away from court premises.	
7.2 For every oath, affirmation, solemn declaration or statutory declaration where no other fee is specified.	
Note: No fee is payable for the swearing in of witnesses or in any case where an enactment directs that no fee will be taken.	£25

**Exceptions**

20. No remissions or refunds are available in respect of the fee payable for—

- (a) copy or duplicate documents;
- (b) searches.

## NON-CONTENTIOUS PROBATE FEES ORDER 2004

*S.I. 2004 No. 3120*

The following sets out the Fees payable under the Order (as amended) in force with effect from 6 April 2017. Last amended on 3 August 2020 by S.I. 2020/720.

**Citation, commencement and interpretation**

1.

(1) This Order may be cited as the Non-Contentious Probate Fees Order 2004 and shall come into force on the 4th January 2005.

(2) In this Order—

- (a) a fee referred to by number means the fee so numbered in Schedule 1 to this Order;
- (b) “assessed value” means the value of the net real and personal estate (excluding settled land if any) passing under the grant as shown—
  - (i) in the Inland Revenue affidavit (for a death occurring before 13th March 1975), or
  - (ii) in the Inland Revenue account (for a death occurring on or after 13th March 1975), or
  - (iii) in the case in which, in accordance with arrangements made between the President of the Family Division and the Commissioners of the Inland Revenue, or regulations made under section 256(1)(a) of the Inheritance Tax Act 1984 and from time to time in force, no such affidavit or account is required to be delivered, in the oath which is sworn to lead to the grant,
 

and in the case of an application to reseal means the value, as shown, passing under the grant upon its being resealed;
- (c) “authorised place of deposit” means any place in which, by virtue of a direction given under section 124 of the Senior Courts Act 1981 original wills and other documents under the control of the High Court (either in the principal registry or in any district registry) are deposited and preserved;
- (d) “grant” means a grant of probate or letters of administration;
- (e) “district registry” includes the probate registry of Wales, any district probate registry and any sub-registry attached to it;
- (f) “the principal registry” means the Principal Registry of the Family Division and any sub-registry attached to it.

**Fees to be taken**

2. The fees set out in column 2 of Schedule 1 to this Order shall be taken in the principal registry and in each district registry in respect of the items described in column 1 in accordance with and subject to any directions specified in column 1.

**Exclusion of certain death gratuities**

3. In determining the value of any personal estate for the purposes of this Order there shall be excluded the value of a death gratuity payable under section 17(2) of the Judicial Pensions Act 1981 or section 4(3) of the Judicial Pensions and Retirement Act 1993, or payable to the personal representatives of a deceased civil servant by virtue of a scheme made under section 1 of the Superannuation Act 1972.

**Remission of fees**

4. Schedule 1A applies for the purpose of ascertaining whether a party is entitled to a remission or part remission of a fee prescribed by this Order.

5. [Omitted.]

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) Where any application for a grant is withdrawn before the issue of a grant, a registrar may reduce or remit a fee.
- (3) Fee 7 shall not be taken where a search is made for research or similar purposes by permission of the President of the Family Division for a document over 100 years old filed in the principal registry or a district registry or another authorised place of deposit.

### Special exemption – Armed Forces

7. Where a fee has been paid or fees have been paid for the application of a grant (other than fee 3.2) and at the time of payment of that fee or those fees—

- (a) the application for the grant was in respect of an estate exempt from Inheritance Tax by virtue of section 154 of the Inheritance Tax Act 1984 (exemption for members of the armed forces etc); and
- (b) was in respect of a death occurring before 20th March 2003;

the Lord Chancellor shall upon receiving a written application refund the difference between any fee or fees paid and fee 3.2.

### Revocation

8. The Order specified in Schedule 2 in so far as it was made under section 128 of the Finance Act 1990 shall be revoked.

### Schedule 1: Fees to be taken (Article 2)

Column 1	Column 2
Number and description of fee	Amount of fee
<b>1 Application for a grant</b> On an application for a grant (or for resealing a grant) other than on an application to which fee 3 applies, where the assessed value of the estate exceeds £5,000	£155
<b>2 Personal application fee</b> Where the application under fee 1 is made by a personal applicant (not being an application to which fee 3 applies) fee 2 is payable in addition to fee 1 where the assessed value of the estate exceeds £5,000.	£60
<b>3 Special applications</b>	£20
3.1 For a duplicate or second or subsequent grant (including one following a revoked grant) in respect of the same deceased person, other than a grant preceded only by a grant limited to settled land, to trust property, or to part of the estate.	
3.2 On an application for a grant relating to a death occurring on or after 20th March 2003 in respect of an estate exempt from inheritance tax by virtue of section 154 of the Inheritance Tax Act 1984 (exemption for members of the armed forces etc).	£10
<b>4 Caveats</b> For the entry or the extension of a caveat.	£3
<b>5 Search</b> On an application for a standing search to be carried out in an estate, for each period of six months including the issue of a copy grant and will, if any (irrespective of the number of pages).	£3
<b>6 Deposit of wills</b> On depositing a will for safe custody in the principal registry or a district registry.	£20
<b>7 Inspection</b> On inspection of any will or other document retained by the registry (in the presence of an officer of the registry).	£20
<b>8 Copy documents</b>	
On a request for a copy of any document whether or not provided as a certified copy:	
(a) for each such copy;	£1.50
(b) where copies of any document are made available on a computer disk or in other electronic form, for each such copy.	£1.50
<b>9 Oaths</b> Except on a personal application for a grant, for administering an oath:	

9.1 for each deponent to each affidavit;	£11
9.2 for marking each exhibit.	£2
<b>10 Determination of costs</b> For determining costs.	The same fees as are payable from time to time for determining costs under the Civil Proceedings Fees Order 2008, (the relevant fees are set out in fee 5 in Schedule 1 to that Order)
<b>11 Settling documents</b> For perusing and settling citations, advertisements, oaths, affidavits, or other documents, for each document settled.	£4

### Schedule 1A: Remissions and part remissions (Article 4)

#### Interpretation

1.—

(1) In this Schedule—

“child” means a person—

(a) whose main residence is with a party and who is aged—

(i) under 16 years; or

(ii) 16 to 19 years; and is—

(aa) not married or in a civil partnership; and

(bb) enrolled or accepted in full-time education that is not advanced education, or approved training; or

(b) in respect of whom a party or their partner pays child support maintenance or periodic payments in accordance with a maintenance agreement,

and “full-time education”, “advanced education” and “approved training” have the meaning given by the Child Benefit (General) Regulations 2006;

“child support maintenance” has the meaning given in section 3(6) of the Child Support Act 1991;

“couple” has the meaning given in section 3(5A) of the Tax Credits Act 2002;

“disposable capital” has the meaning given in paragraph 5;

“excluded benefits” means any of the following—

(a) any of the following benefits payable under the Social Security Contributions and Benefits Act 1992 or the corresponding provisions of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—

(i) attendance allowance under section 64;

(ii) severe disablement allowance;

(iii) carer’s allowance;

(iv) disability living allowance;

(v) constant attendance allowance under section 104 as an increase to a disablement pension;

(vi) any payment made out of the social fund;

(vii) housing benefit;

(viii) widowed parents allowance;

(b) any of the following benefit payable under the Tax Credits Act 2002—

(i) any disabled child element or severely disabled child element of the child tax credit;

(ii) any childcare element of the working tax credit;

(c) any direct payment made under the Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009, the Community Care, Services for Carers and Children’s Services (Direct Payments) (Wales) Regulations 2011, the Carers and Direct Payments Act (Northern Ireland) 2002, or section 12B(1) of the Social Work (Scotland) Act 1968;