



## COURT FEES (NO.2) ORDER 2013

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Statutory Document No. 0191/13



*Fees and Duties Act 1989*

## **COURT FEES (NO.2) ORDER 2013**

*Approved by Tynwald:* 18 June 2013  
*Coming into Operation:* 1 July 2013

The Treasury makes the following Order under Section 1 of the Fees and Duties Act 1989.

### **1 Title**

This Order is the Court Fees (No.2) Order 2013.

### **2 Commencement**

If approved by Tynwald<sup>1</sup>, this Order comes into operation on 1 July 2013.

### **3 Interpretation**

Expressions used in this Order which are also used in any Rules of Court have the same meanings as in such Rules of Court.

### **4 Court Fees**

- (1) For each of the numbered items set out in the Schedule the non-refundable fee set out in the final column in respect of each item shall be charged, but subject to paragraph (2).
- (2) If it appears to the Chief Registrar that the payment of any fee specified in the Schedule would, owing to the exceptional circumstances of the particular case or the parties to the case, involve undue hardship, the Chief Registrar may, upon receiving an application to do so (in the approved form), reduce, remit or defer payment of the fee in that case.<sup>2</sup>

### **5 Revocation**

- (1) The Court Fees Order 2011<sup>3</sup> is revoked.

<sup>1</sup> As required by section 1(4) of the Fees and Duties Act 1989

<sup>2</sup> GC No. 250/90

<sup>3</sup> SD 0592/11



(2) The Court Fees Order 2013<sup>4</sup> (insofar as it is capable of continuing to have effect) is revoked.

(3) The Marriage and Civil Partnerships (Appeals about Venue) Fees Order 2011<sup>5</sup> is revoked.

**MADE 24<sup>th</sup> May 2013**

**W E TEARE**  
*Minister for the Treasury*

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<sup>4</sup> SD 0221/13

<sup>5</sup> SD 0344/11

## SCHEDULE

## COURT FEES

Fees reference		Fee Payable £
<b>1</b>	<b>SMALL CLAIMS/SUMMARY/ORDINARY PROCEDURE</b>	
1.1	Filing a claim or counterclaim as appropriate:	
	(i) Up to £300	25.00
	(ii) £300.01 - £500	37.50
	(iii) £500.01 - £1,000	52.50
	(iv) £1,000.01 - £1,500	65.00
	(v) £1,500.01 - £3,000	71.50
	(vi) £3,000.01 - £5,000	90.00
	(vii) £5,000.01 - £10,000	135.00
	(viii) £10,000.01 - £15,000	185.00
	(ix) £15,000.01 - £50,000	300.00
	(x) £50,000.01 - £100,000	515.00
	(xi) £100,000.01 - £150,000	665.00
	(xii) £150,000.01 - £200,000	810.00
	(xiii) £200,000.01 - £300,000	1110.00
	(xiv) £300,000.01 - £500,000	1250.00
	(xv) £500,000.01 - £1,000,000	2000.00
	(xvi) £1,000,000.01 - £5,000,000	2500.00
	(xvii) £5,000,000.01 - £10,000,000	3375.00
	(xviii) £10,000,000.01 - £50,000,000	4125.00
	(xix) Greater than £50,000,000 or unspecified	7500.00
1.2	Filing a non-money claim (including any claim for possession that does not seek a monetary judgment)	200.00
1.3	For the scheduling of any matter which is set down for a hearing of more than 2 days duration, per day or part thereof	750.00
1.4	Filing any other application:	
	(i) In the Small Claims/Summary Procedure: Contested Application 120.00 Agreed Application (e.g. for a Consent Order, Adjournment etc.) 40.00	
	(ii) In the Ordinary Procedure: Contested Application 200.00 Agreed Application (e.g. for a Consent Order, Adjournment etc.) 120.00	
<b>2</b>	<b>CHANCERY PROCEDURE</b>	
2.1	Filing of any claim, inc. Mental Health Receivership application	200.00
2.2	For the scheduling of any matter which is set down for a hearing of more than 2 days duration, per day or part thereof	750.00
2.3	Filing any other application: Contested Application	200.00

		Agreed Application (e.g. for a Consent Order, Adjournment etc.)	120.00
<b>3</b>	<b>BANKRUPTCY MATTERS</b> , where no statutory fee is prescribed		
3.1	(i) (ii)	Distributions Auditing Account of Trustees in Bankruptcy, Trustees under Deeds of Arrangement, the Representative of Insolvent Estates Administered by the court, and Liquidators under the Companies Act or the Industrial and Building Societies Acts 1982 to 1986	132.00
<b>4</b>	<b>PROBATE &amp; ADMINISTRATION – TESTAMENTARY BUSINESS</b>		
4.1	(i) (ii)	Settling a draft Testamentary application Filing a caveat or an extension to a caveat	50.00
4.2	Filing an application for Probate of a Will or Letters of Administration where it is stated in the application that the gross estate in the Isle of Man:		
	(i)	does not exceed £10,000	25.00
	(ii)	Exceeds £10,000 but does not exceed £50,000	150.00
	(iii)	Exceeds £50,000 but does not exceed £125,000	437.50
	(iv)	Exceeds £125,000 but does not exceed £250,000	937.50
	(v)	Exceeds £250,000 but does not exceed £500,000	1875.00
	(vi)	Exceeds £500,000 but does not exceed £1,000,000	3750.00
	(vii)	Exceeds £1,000,000	7500.00
<b>5</b>	<b>FAMILY, CHILDREN, MATRIMONIAL OR CIVIL PARTNERSHIP PROCEEDINGS</b>		
5.1	Filing an initial application or cross-application for a Divorce, Annulment, Separation or Dissolution Order		255.00
5.2	Filing an application:		
	(i) (ii) (iii)	in any procedure for the variation of a maintenance agreement or like process under Part 4 of Children and Young Persons Act (care orders, supervision orders) via any other agreed Application (e.g. for a Consent Order, Adjournment etc.)	60.00
	(iv)	for a Non-Molestation Order or Occupation Order – payable separately except when filed with an initial application	102.00
	(v) (vi) (vii) (viii) (ix) (x)	under Schedule 6 to Civil Partnership Act 2011 or under Part 3 of the Matrimonial Proceedings Act 2003 (financial relief) for an Order under the Hague Convention for an Adoption Order or a Wardship Order for hearing a contested matter for hearing a contested matter under the Matrimonial Proceedings Act 2003 or the Civil Partnership Act 2011 via any other contested Application	120.00
5.3	Appeals to the High Bailiff under section 7(6) of Civil Partnership Act 2011 or section 19 of the Marriage Act 1984 (approval of places of registration)		200.00
5.4	Filing of a Parental Responsibility Agreement		25.00
<b>6</b>	<b>APPEAL MATTERS (WHETHER TO THE STAFF OF</b>		

<b>GOVERNMENT DIVISION OR CIVIL DIVISION)</b>			
6.1	Filing of any Notice or Application within the Appeals process (including in relation to Criminal Matters)		300.00
6.2	For the scheduling of any Appeal matter arising from proceedings pursuant to Fees reference 1 or 2 in this document which is set down for a hearing of more than 2 days duration, per day or part thereof		750.00
<b>7 ASSESSMENTS OF COSTS</b>			
7.1	Application for, or to set aside, a default costs certificate		60.00
7.2	Application for a detailed assessment hearing. Percentage of the total amount of the bill of costs (including VAT and disbursements). The sum is non-refundable.		5%
7.3	Following completion of the detailed assessment proceedings. Percentage of the total amount of the bill of costs (including VAT and disbursements) (from which will be deducted the relevant fee paid under 7.2 above).		10%
7.4	Appeal or Review of a decision made in detailed assessment proceedings.		300.00
<b>8 MISCELLANEOUS - FEES PAYABLE IN MISCELLANEOUS MATTERS</b>			
8.1	Application to pay into Court, or a payment out of Court		25.00
8.2	(i)	Search of Court Indices <u>if undertaken by staff</u> (per volume)	45.00
	(ii)	Request for access to a file or folder (per file) within a court case file (reference)	45.00
8.3	Filing of an application (including applications for consent orders or any applications made in any way including any within other documents or processes):		
	(i)	Small Claims or Summary Procedure (including requests for Judgment and Execution)	37.50
	(ii)	Small Claims or Summary Procedure (Instalment Order or Attachment of Earnings Order)	60.00
	(iii)	In any other Procedure (not prescribed elsewhere in this Order): Contested Application Agreed Application (e.g. for a Consent Order, Adjournment etc.)	200.00 120.00
8.4	Producing a copy recording of any court or other proceedings (or part thereof) on cd-rom per compact disc.		30.00
8.5	Application for a Temporary Advocates Licence (which shall remain in force for no more than 12 months) , pursuant to The Advocates Act 1995, s17 (such fee to be payable in addition to fees prescribed under the applicable Fees and Duties (Government Fees) Order in relation to the "Drawing of a Commission").		500.00
8.6	Application for each/any additional year of a licence referred to at 8.5 above (such fee to be payable in addition to fees prescribed under the applicable Fees and Duties (Government Fees) Order in relation to the "Drawing of a Commission").		200.00
8.7	Application, pursuant to The Advocates Act 1995, s17 (3), for review of a decision made to grant or refuse an application for a		300.00

	Temporary Advocates Licence.	
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***EXPLANATORY NOTE***

***(This note is not part of the Order)***

This Order, made under the Fees and Duties Act 1989, replaces the Court Fees Order 2011 and the Court Fees Order 2013 (which did not come into effect).

The fees are intended to provide a further step towards the costs of providing justice in Civil Proceedings being met from the fees collected, whilst maintaining appropriate access to justice

Fees are also introduced to encourage more outcomes which are agreed between the parties

The rationale also seeks to minimise fee levels for lower level, less complex and social issues, whilst seeking more appropriate fee levels for those matters which are protracted, complex and costly

In relation to Probate Fees which cannot directly reflect the position in the adjacent Jurisdictions due to Statutory and other differences, the primary rationale is to ensure that the fee bands and fees better reflect modern day property prices and estate values. In introducing the new bands the fee levels are set at 0.5% of the mid-point of each band where applicable

This Order also repeals the Marriage and Civil Partnership (Appeals about Venue) Order 2011 as that category of fees is now included within the Courts Fees (No.2) Order.