

2015 No. 1419 (L. 14)

FAMILY PROCEEDINGS, ENGLAND AND WALES

SENIOR COURTS OF ENGLAND AND WALES

FAMILY COURT, ENGLAND AND WALES

The Family Proceedings Fees (Amendment No. 2) Order 2015

<i>Made</i> - - - -	<i>24th June 2015</i>
<i>Laid before Parliament</i>	<i>26th June 2015</i>
<i>Coming into force</i> - -	<i>17th July 2015</i>

The Lord Chancellor, with the consent of the Treasury, makes the following Order in exercise of the power conferred by section 92 of the Courts Act 2003(a).

In accordance with section 92(5) and (6) of that Act the Lord Chancellor has consulted the Lord Chief Justice, the Master of the Rolls, the President of the Queen’s Bench Division, the President of the Family Division, the Chancellor of the High Court, the Head of Civil Justice, the Deputy Head of Civil Justice and the Civil Justice Council.

Citation and commencement

1. This Order may be cited as the Family Proceedings Fees (Amendment No. 2) Order 2015 and comes into force on 17th July 2015.

Amendment of the Family Proceedings Fees Order 2008

2.—(1) The Family Proceedings Fees Order 2008(b) is amended as follows.

(2) In article 3A—

(a) before sub-paragraph (c), insert—

“(bb) in proceedings for a female genital mutilation protection order under Part 1 of Schedule 2 to the Female Genital Mutilation Act 2003(c); or”, and

(b) in sub-paragraph (c), for “in sub-paragraph (b)”, substitute “in sub-paragraphs (b) or (bb)”.

(a) 2003 c. 39. Section 92 was amended by sections 15(1) and 59(5) of, and paragraphs 308 and 345 of Schedule 4 Part 1 and paragraph 4 of Schedule 11 Part 2 to, the Constitutional Reform Act 2005 (c.4), and by section 17(5) and (6) of, and paragraph 40(a) of Schedule 9 Part 2 and paragraphs 83 and 95 of Schedule 10 Part 2 to, the Crime and Courts Act 2013 (c. 22).

(b) S.I. 2008/1054; relevant amending instruments are S.I. 2014/877, S.I. 2015/576 and S.I. 2015/687.

(c) 2003 c. 31. Schedule 2 was inserted by section 73 of the Serious Crime Act 2015 (c. 9).

(3) In Schedule 1 (fees to be taken), after sub-paragraph (e) of fee 15.1, insert “; or”, and the following in the left-hand column—

“(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.”

23rd June 2015

We consent

Shailesh Vara
Parliamentary Under Secretary of State
Ministry of Justice

Mel Stride
George Hollingbery

24th June 2015

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Family Proceedings Fees Order 2008 (S.I. 2008/1054), which governs the fees payable in family proceedings in England and Wales in the High Court and the family court.

Article 2(2) disapplies fees in proceedings relating to female genital mutilation orders under Schedule 2 to the Female Genital Mutilation Act 2003 (c. 31).

Article 2(3) disapplies fees for requests for service by a bailiff of female genital mutilation protection orders, or applications for, or to vary or discharge, female genital mutilation protection orders.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.