

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

The Supreme Court Fees Order 2009 ([S.I. 2009/2131 \(L. 25\)](#)) (“the 2009 Order”) specified the fees payable in the Supreme Court. This Order consolidates the 2009 Order and its amending instruments and increases the fees payable to account for historic inflation, as measured by the consumer price index (CPI).

The fees in column (2) of the table in paragraph 2 of Schedule 1 are payable in relation to the items described in column (1). Where the matter relates to criminal proceedings, the only fee payable is the fee for submitting a claim for costs.

As part of the consolidation—

- (a) the separate fee rates that applied in the 2009 Order between civil cases and devolution jurisdiction cases have been removed. The fees payable for devolution jurisdiction cases and civil cases are now the same;
- (b) fees 2.5 and 4.2 specified in the table in Schedule 1 to the 2009 Order (and summarised in the table below) have been combined with other fees in this Order to reduce the number of fees payable at different stages of proceedings;
- (c) fee 2.3 specified in the table in paragraph 2 of Schedule 1 to this Order applies to the filing of either a reference under—
  - (i) the Supreme Court’s devolution jurisdiction (relating to proceedings under the Scotland Act 1998 (c. 46), the Government of Wales Act 2006 (c. 32) or the Northern Ireland Act 1998 (c. 47)); or
  - (ii) section 6A or 6B of the European Union (Withdrawal) Act 2018 (c. 16) in relation to assimilated case law (previously known as retained EU case law before 31st December 2023).

The extent of the fee change (if any) is highlighted in the following table.

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(3)</i>
<i>Number and description of fee</i>	<i>Old fee</i>	<i>Old fee</i>	<i>New fee</i>
	<i>(civil)</i>	<i>(devolution jurisdiction)</i>	
<b><i>1 Application for permission to appeal</i></b>			
1.1 On filing an application for permission to appeal.	£1,000	£400	£1,390
1.2 On filing notice of objection to an application for permission to appeal.	£160	£160	£220
<b><i>2 Appeals etc</i></b>			
2.1 On filing notice of an intention to proceed with an appeal.	£800	£400	£7,855
2.2 On filing a notice of appeal.	£1,600	£400	£8,975

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<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(3)</i>
<i>Number and description of fee</i>	<i>Old fee</i>	<i>Old fee</i>	<i>New fee</i>
	<i>(civil)</i>	<i>(devolution jurisdiction)</i>	
2.3 On filing a reference*	N/A	£200	£7,015
*No fee is payable where the reference is made by a court.			
2.4 On filing an acknowledgement by respondent.	£320	£160	£445
2.5 On filing a statement of relevant facts and issues and an appendix of essential documents	£4, 820	£800	Fee removed and combined with fees 2.1 and 2.2
<b>3 Procedural applications</b>			
3.1 On filing an application for a decision of the Registrar to be reviewed.	£1,500	£200	£2,095
3.2 On filing an application for permission to intervene in an appeal.	£800	£200	£1,115
3.3 On filing any other procedural application.	£350	£200	£485
3.4 On filing notice of objection to a procedural application.	£150	£150	£205
<b>4 Costs</b>			
4.1 On submitting a claim for costs.	2.5% of the sum claimed	2.5% of the sum claimed	4% of the sum claimed
4.2 On certification by the Registrar of the amount of assessed costs, or on receipt of an order showing the amount.	2.5% of the sum allowed	2.5% of the sum allowed	Fee removed and combined in part with fee 4.1
<b>5 Copying</b>			
5.1 On a request for a copy of a document (other than where fee 5.2 or 5.3 applies)—			
(a) for ten pages or less;	£5	£5	£5
(b) for each subsequent page.	50p	50p	50p
5.2 On a request for a copy of a document to be provided in electronic form, for each such copy.	£5	£5	£5
5.3 On a request for a certified copy of a document.	£20	£20	£25

Article 3 provides that for certain fees the amount payable under the 2009 Order is payable on or after 1st April 2024 when a notice to appeal or notice of an intention to appeal is filed, or when a

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claim for costs is submitted, before 1st April 2024. However, no fees are payable under article 3 if the matter relates to criminal proceedings.

Article 4 and Schedule 2 set out when a party is entitled to a remission, part remission or refund of a fee.

Article 5 and Schedule 3 revoke the 2009 Order and relevant amending instruments and provisions superseded by this Order.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector and community bodies is available on gov.uk: <https://www.gov.uk/government/consultations/reforming-fees-in-the-united-kingdom-supreme-court>.