STATUTORY INSTRUMENTS

1967 No. 1001

ECCLESIASTICAL LAW

The Legal Officers Fees (Faculties) Order 1967

Made (Approved by the Church Assembly)	*4th July* 1967
Laid before Parliament	*11th July* 1967
Coming into Operation	*1st January* 1968

We, the Fees Committee constituted in accordance with the provisions of section 1 of the Ecclesiastical Fees Measure 1962(a), in the exercise of the powers conferred by that section, do hereby order as follows:--

1. The Table of Fees set forth in the Schedule to this Order is hereby established and contains particulars of the fees which are to be demanded taken and received by the respective legal officers named in the Schedule for the performance by them after the commencement of this Order of the duties of their offices in relation to the respective matters specified in the Schedule.

2. The fees in the Table of Fees set forth in the Schedule to this Order are established in substitution for the fees in Part II of the Second Schedule to the Ecclesiastical Officers Remuneration Order No. 1 1953(b) and in the Legal Officers Fees (Faculties) Order 1966(c) and a fee in that Table of Fees is payable for the performance of the same duties as by law or custom were performed for the fee which is replaced: Provided that the fee shall be payable whether or not the faculty or certificate, as the case may be, for which application was made is granted.

3. The Ecclesiastical Officers Remuneration Order No. 1 1953 and the Legal Officers Fees (Faculties) Order 1966 shall cease to have effect.

4. In this Order a rule referred to by number means the rule so numbered in the Faculty Jurisdiction Rules 1967.

5. This Order may be cited as the Legal Officers Fees (Faculties) Order 1967 and shall come into operation on the first day of January 1968.

Conolly H. Gage.
J. R. Cumming Bruce.
G. G. Hartwright.

Dated the seventeenth day of May 1967.

Approved by the Church Assembly the fourth day of July 1967.

John Guillum Scott,
Secretary.

(a) 1962 No. 1. (b) S.I. 1953/1708 (1953 I,p. 593). (c) S.I. 1966/150 (1966 I.p. 271).

THE SCHEDULE

TABLE OF FEES

	Vicar-General or Chancellor £ s. d.	*Registrar or other Officer by usage performing the duty* £ s. d.
1. Archdeacon's Certificate. Fee payable on application (rule 3(1))	—	2 2 0
2. Notice of objection to Archdeacon's Certificate Fee payable on lodging Notice (rule 3(7))	—	10 6
3. Major Faculty for matters specified in Appendix. Fees payable on lodging Petition (rule 4(1)) (see note (*a*)) ...	2 2 0	6 6 0
4. Minor Faculty in other cases. Fees payable on lodging Petition (rule 4(1)) (see note (*a*))	1 11 6	3 13 6
5. On the Judge giving directions under rule 8 that an application for an Archdeacon's Certificate is to be treated as a Petition for a Major Faculty, the applicant, if he wishes to proceed, shall pay a further fee of ...	2 2 0	4 4 0
6. On the Judge giving directions under rule 8 that an application for an Archdeacon's Certificate is to be treated as a Petition for a Minor Faculty, the applicant, if he wishes to proceed, shall pay a further fee of ...	1 11 6	1 11 6
7. Examining Petition with Exhibits and entering same in Court Assignation Book	—	1 1 0
8. Submitting to the Chancellor the papers, and obtaining his Fiat	—	10 6
9. Perusing Petition with Exhibits and decreeing Citation	10 6	5 0
10. For every Seal fee	3 6	5 0
11. Drawing and engrossing Citation and recording same in Court Assignation Book, per folio of 72 words ...	—	2 0
12. Copy Citation for service, per folio	—	6
13. Examining Certificate of Service and entering same in Court Assignation Book	—	5 0
14. Filing Proxy on behalf of Petitioners entering in Court Assignation Book	—	5 0
15. Filing entry of Appearance to Citation	—	2 6
16. Filing amended Appearance	—	2 6
17. Filing Pleading subsequent to the Petition	—	2 6
18. Lodging in the registry a notice objecting to a pleading under rule 5(8) when no hearing	—	10 6
19. Filing amended Pleadings	—	2 6
20. Filing Interrogatories	—	2 6
21. Filing Answers of each witness	—	2 6
22. Every Compulsory, each name	—	2 6

	Vicar-General or Chancellor £ s. d.	*Registrar or other Officer by usage performing the duty* £ s. d.
23. Interlocutory Order for any other purpose in the Cause, each	10 6	5 0
24. Submitting to the Chancellor the papers and obtaining appointment for Court Day, or Application in Chambers	10 6	10 6
25. Attending a Summons on application in Chambers ...	1 1 0	10 6
26. Every Motion in Court	2 2 0	1 1 0
27. Additional fees in faculty cases where for any reason the issue, whether opposed or unopposed, whether interlocutory or final, is to be heard in Court or Chambers		
(i) if a case lasts half a day or less	8 8 0	6 6 0
(ii) if a case lasts a whole day or more than half ...	15 15 0	12 12 0
Fees on same scale for subsequent days.		
28. Marking and filing each exhibit	—	2 0
29. Drawing Order or Minute of Court (minimum fee) or	—	10 0
per folio if over 10 folios	—	1 0
30. Fair copy into Court Assignation Book (minimum fee)	—	5 0
or per folio if over 10 folios	—	6
31. Drawing Faculty, per folio	—	2 0
32. Engrossing same, per folio	—	8
33. Enrolling Faculty in Diocesan Faculty Book, per folio	—	1 0
34. Correspondence (if any) not to exceed without the sanction of the Chancellor	—	2 2 0
35. Settling terms of Faculty	2 2 0	10 6
36. Entering a Caveat	—	10 6

Notes:

(*a*) In the case of opposed faculties fees under item 3 or item 4, as the case may be, are to be credited to the final bill for fees.

(*b*) Any other fees of the Registry in opposed cases are to be paid on the same scale as are allowed for Court fees, from time to time, in the Supreme Court of Judicature.

APPENDIX

Matters for Major Faculties

1. Where estimated cost of work exceeds £400.
2. Where confirmatory faculty is sought.
3. Where grave space is reserved.
4. Where body is to be exhumed.
5. Where light or air agreement is to be approved.
6. Where faculty is sought under Open Spaces Act 1906.
7. Where road widening scheme is approved.
8. Where Chancellor so directs in case of unusual difficulty.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for fees for faculties and archdeacon's certificates, replacing fees in Part II of the Second Schedule to the Ecclesiastical Officers Remuneration Order No. 1 1953 and the Legal Officers Fees (Faculties) Order 1966.