

**GENERAL SYNOD**

**ECCLESIASTICAL JUDGES, LEGAL OFFICERS AND OTHERS (FEES)  
ORDER 2014**

**Explanatory Memorandum**

1. The Fees Advisory Commission ('the Commission') is a statutory body, constituted under the Ecclesiastical Fees Measure 1986 as amended ('the 1986 Measure'). The Commission recommends to the Synod the level of fees to be paid to diocesan registrars and ecclesiastical judges for performing certain of their duties and functions.
2. At the February 2014 Group of Sessions, Synod approved the Legal Officers (Annual Fees) Order 2014, which introduced changes to the method of calculating the annual retainer payable to diocesan registrars. These reforms were recommended by the Commission following an independent review and consultation with users and providers of legal services.
3. In the coming year, the Commission intends to take a fresh look at the Ecclesiastical Judges, Legal Officers and Others (Fees) Order, again in consultation with users and providers of the services to which it relates. It proposes to examine both the content of the Order – the matters for which fees are prescribed – and the quantum of fees, and to make any recommendations for change when it brings the next draft Order to Synod in 2015. The Commission is already aware that some amendments will be needed to reflect changes to the Faculty regime, but considers it preferable to review the Order as a whole rather than to make piecemeal changes at this stage.
4. In the meantime, therefore, this draft Order follows the practice of recent years in proposing an uplift in the prescribed fees calculated in accordance with a mixed formula based on the increase for 2013 in the Retail Prices Index (25% weighting) and the Average Weekly Earnings Index (75% weighting). These figures are, respectively, 2.7% and 1.2%, giving a composite uplift of 1.575%, which has been applied to the fees specified in the current Order.

*On behalf of the Commission*

J Alpass

May 2014