





## Section 3: Full Remission based on permitted benefits -

### Concession 1

This concession is available to you if you provide evidence that you currently receive any one of the following four means-tested benefits:

- Income-Support
- Income-Based Jobseeker's Allowance
- State Pension Guarantee Credit
- Working Tax Credit **but not in receipt of Child Tax Credit**

#### Warning:

Applicants are not permitted to use or allow to be used, their benefit entitlement to gain a full remission for any other party or person.

**If you are in receipt** of one of the four means-tested benefits, tick the appropriate box. You must provide evidence in the form of:

- An official letter or entitlement notice from the appropriate benefit provider (details on page 19 - Useful Contacts) dated no more than **1 month old**. It must contain your title, full name, address and postcode and confirm current receipt of the benefit.

If you receive State Pension Guarantee Credit or Working Tax Credit, your evidence letter must be dated within the current financial year.

Go to section 6.

#### Warning:

Failure to provide evidence will result in the application being refused and the full fee being payable.

**If you are not in receipt** of one of the four means-tested benefits, tick 'none of these' and go to section 4. This includes applicants who, by themselves or jointly with a partner, are in receipt of both Working Tax Credit and Child Tax Credit together or Child Tax Credit on it's own.

## Information that applies to both Concessions 2 and 3

### Bank Statements

Applicants applying for concessions 2 and 3 must provide the last 3 months bank statements from all their current accounts showing credit of all income and all other regular credits and debits. Failure to provide bank statements will result in your application being refused.

### Excluded Benefit List

The following benefits are excluded from any calculation of gross annual income under concession 2 and net monthly income under concession 3:

- × Attendance Allowance
- × Back to Work Bonus
- × Budgeting Loan
- × Carer's Allowance
- × Cold Weather Payment
- × Community Care Grant
- × Constant Attendance Allowance
- × Council Tax Benefit
- × Crisis Loans
- × Direct Payments made under Community Care, Services for Carer and Children's Services
- × Disability Living Allowance
- × Exceptionally Severe Disablement Allowance
- × Financial support under an agreement for the care of a foster child
- × Funeral Payment
- × Housing Benefit
- × Independent Living Fund Payments
- × Severe Disablement Allowance

### Sources of Income and Evidence List

Gross annual income for concession 2 and net monthly income for concession 3 must be declared from any and all sources.

**You are a single person**, you must provide evidence to support all your income.

**You are part of a couple**, you must provide evidence to support your and your partner's income – whether you, or you and your partner, are involved in the court proceedings.

You must provide your last 3 months bank statements (and those of your partner if applying as part of a couple) **in addition to** the evidence detailed as follows: **(this list is not exhaustive)**

#### Paid Employment:

You must provide original wage slips from all jobs. You must also declare any cash-in-hand work.

- Paid monthly: last 3 months wage slips no more than 4 months old; or
- Paid weekly: last full month of wage slips no more than 6 weeks old.

#### Self Employment:

You must provide:

- Most recent tax return (Self Assessment); and
- Most recent HMRC Self Assessment Tax Calculation; and
- Current proof of income.

### **People living with you:**

If you receive money from any persons living with you in payment of rent, board, contribution to the household etc, you must provide:

- A letter from the person paying money to reside at your address confirming the arrangement, the amount paid and dated within the last month.

### **Pensions (excluding sole receipt of State Pension Guarantee Credit):**

If you receive income from a state, private or occupational pension, you must provide:

- Current notification, letter or statement confirming current pension payments.

### **Benefit payments:**

If you are in receipt of any benefit payments **excluding** those listed on page 7, you must provide:

- A benefit entitlement notice or letter, dated within the last month confirming how much is currently being received and how often.

### **Rental income from any and all properties:**

If you receive income from the rent of properties, you must provide:

- Tenancy agreement or lease relating to each property showing the rents currently being paid and frequency.

### **Child maintenance payments:**

If you receive child maintenance payments, you must provide an original copy of the document(s) that shows the amount paid and how often it's paid, in respect of each child that maintenance is received for. The evidence must show current payments:

- Sealed court order; or
- Child Support Agency assessment; or
- Signed Voluntary Agreement (signed by both parents).

### **Stocks, shares, bonds or any other financial arrangement:**

If you receive income from stocks, shares or any other financial arrangement where income is obtained, you must provide:

- Current statements showing the arrangement and how much income is obtained.

### **Any other income:**

If you receive income by any other means not listed here, such as selling goods privately or publicly, including sales on the Internet, you must produce current official documentary evidence. The evidence must show the amount of income received, by what method and how often.

#### **Warning:**

Failure to provide evidence will result in the application being refused and the full fee being payable.

## Section 4: Full Remission based on gross annual income -

### Concession 2

This concession is available to you if your gross annual income does not exceed the limits set out in the tables below. To qualify, you must provide evidence of your name, address, dependant children, whether you are single or part of a couple and your gross annual income.

#### Warning:

Any applicant with **NO** income must apply under concession 3.

**Children:** Tick Yes or No. If yes, state the number of children who are both financially dependant on you and living with you. Evidence is required to prove the existence of all dependant children. You must provide:

- Current Child Benefit notification; **and**, if in receipt of Child Tax Credit;
- Child Tax Credit Award notification dated within the current financial year.

Both Child Benefit and Child Tax Credit must be included as income under benefits in your calculation for gross annual income.

**Status:** Tick either single or part of a couple.

**A single person is defined as** one person, living as a single person, relying on their own income, with or without dependant children.

**A couple is defined as** two people, living as a couple residing at the same address, upon whose joint income they rely, with or without dependant children, regardless of whether you, or you and your partner, are involved in the court proceedings.

You must only complete the income boxes below the status box you have ticked. You must provide:

- An official document confirming your title(s), full name(s) and address of the applicant(s).

**Gross Annual Income:** This is your total single or joint income from any and all sources for the current year, **before any deductions** such as Income Tax, have been made. Look at the income source and evidence list on page 7. You must provide evidence to prove your gross annual income for each source. Income received from a source not stated on the list must be included under 'any other income'.

## Calculating your Gross Annual Income

Add together all your elements of income (and your partner's if applying as part of a couple) and place the total in the box. Next, check your gross annual income against the limits set out in the tables below. The number of dependant children you have will determine your gross annual income limit.

**You are applying as a single person:**

Check the table below to see if your gross annual income is within the limit appropriate to your situation:

Number of Children	Total Gross Annual Income Limits
None	£12,000
One	£14,735
Two	£17,470
Three	£20,205
Four	£22,940

**You are applying as part of a couple:**

Check the table below to see if your joint gross annual income is within the limit appropriate to your situation:

Number of Children	Total Joint Gross Annual Income Limits
None	£16,000
One	£18,735
Two	£21,470
Three	£24,205
Four	£26,940

**Additional Children:** Whether you are applying as a single person or part of a couple, if you have more than four children, add £2,735 for each extra child thereafter to the figure for four children.

E.g. If you are part of a couple with five children, you will add £2,735 to £26,940. So your joint gross annual income must not exceed £29,675.

**If the gross annual income exceeds** the limits set out in the tables above, tick the declaration and go to section 5.

**If the gross annual income does not exceed** the limits set out in the tables above, tick the declaration and go to section 6.

## Section 5: Part Remission based on a means test -

### Concession 3

This concession is available to you if you do not qualify for concessions 1 or 2. You may be entitled to a remission following a means test based on your income and expenditure. The court fee, in whole or in part may be payable if your disposable income is over a certain amount.

**A single person is defined as** one person, living as a single person, relying on their own income, with or without dependant children.

**A couple is defined as** two people, living as a couple residing at the same address, upon whose joint income they rely, with or without dependant children, regardless of whether you, or you and your partner, are involved in the court proceedings.

### Monthly Income

**Net Monthly Income:** This is your total income from any and all sources for the month, **after any deductions** such as Income Tax, have been made. Look at the income source and evidence list on page 7.

#### Warning:

Failure to provide evidence will result in the application being refused and the full fee being payable.

**You are a single person.** Enter your income figures under the applicant column **ONLY**. You must provide evidence in support of each source you receive income from.

**You are part of a couple.** Enter your income figures using the applicant column and the partner column. Remember you and your partner may receive income from different sources. You and your partner must provide evidence in support of each source you receive income from.

Evidence must be provided for a partner and all dependant children. See page 9 for required evidence.

**Total Monthly Income:** Add together all the figures you have entered and put the total in the box. If applicable, do the same for your partner's total monthly income.

### Monthly Expenses

There are 5 permitted expenses under concession 3 and these are set out below.

**If applying as a single person,** enter your figures for monthly expenditure and provide evidence in support of the amount you pay for each one listed. Do not enter any other figure for the **fixed allowances** other than the figures detailed below.

**If applying as part of a couple,** enter your **total joint** monthly expenditure and provide evidence in support of the amount you and your partner pay. Remember you and your partner may have different expenses and separate evidence must be provided for each. Do not enter any other figure for the **fixed allowances** other than the figures detailed below.

**Monthly housing costs:** The total you pay for a mortgage, rent or board per month. This figure does not include any council tax payments or any other utility bill payments. The evidence provided must be current, and shows the amount and frequency.

- Mortgage statement (If a mortgage is on a flat, the housing costs will include extra costs for ground rents and service charges); or
- Tenancy Agreement for rented premises; or
- Rent book signed by the landlord; or
- Receipts from board payments; or
- Rent statement from landlord.

**Monthly Fixed Allowances:** These are fixed allowances given to you for:

- **Partner:** £150 a month. Do not enter this figure if you are applying as a single person.
- **Dependant Children:** £228 a month per child. Do not enter this figure if you do not have dependant children.
- **General Living Expenses:** £296 a month. Do not enter this figure if you have no monthly housing cost.

These allowances do not apply to you if you are a prisoner.

**Monthly Child Maintenance:** If you pay child maintenance, you must provide an original copy of the document(s) that shows the amount paid and how often it's paid, in respect of each child that maintenance is paid for. The evidence must show current payments:

- Sealed court order; or
- Child Support Agency assessment; or
- Signed Voluntary Agreement (signed by both parents).

**Monthly Child Care Expenses:** If you have dependant children, you may pay for childcare. This can include: nursery, child minder or pre or after school care. **Childcare costs do not include school fees.**

- Receipts from a nursery; or
- Proof of payments to a pre-school or after-school club; or
- Receipts from a child minder.

**Monthly Payments under a Court Order:**

If you have a court order or judgment (excluding orders for child maintenance) against you which requires you to make payments, state here how much you pay each month. Evidence required is:

- A sealed court order giving the payment details, and
- Receipts of payments made to a claimant or the court.

**Total Monthly Expenses:** Add together all the figures you have entered and put the total in the box. The total amount will be either your single monthly expenditure or yours and your partner's joint monthly expenditure.

**What happens next:** An officer of the court will calculate your disposable income based on the figures you have provided.

**The Court Officer's Decision:**

The Court Officer will tell you how much of a contribution you must pay, whether in full, part or none at all. You can appeal if you do not agree with the Court Officer's decision. Details of how to appeal are on page 14.

## Section 6: Refunds

You can apply for a refund if you have paid a court fee within the **last 6 months** and think you could have applied for a remission at the time. You can only apply for a refund at the court where you paid the fee.

You must provide evidence that you paid the fee, by way of:

- A court receipt; or receipted documents, giving details of the fee and the date paid is no more than 6 months old.
- Evidence for the concession you are applying for that would have allowed the court to accept it on the day you paid the fee. Benefit letters and other evidence should be dated for the period you paid the fee and not the date you apply for the refund.

This does not apply to you if you are a vexatious litigant or a litigant bound by a Civil Restraint Order, as set out on page 4.

**If you are applying for a refund,** tick the 'Yes' box and go to section 7.

**If you are not applying for a refund,** tick the 'No' box and go to section 7.

## Section 7: Declaration

**All applicants** must complete and carry out the request contained in the declaration.

Failure or refusal to do so will result in the EX160 application being refused. Tick all three boxes and go to section 8.

## Section 8: Statement of Truth

**All applicants** must sign and date the statement of truth to confirm all the information provided is true.

Only the applicant can sign and date the statement of truth.

No third party information or signature is allowed except where an EX160 is completed on behalf of a minor.

The application will be refused if:

- Section 8 is unsigned; or
- Any figures entered on the EX160 are found to be false; or
- You fail or refuse to provide evidence to support your application.

If, after approval of the application, information contained in the EX160 is found to be false, the court can:

- Have the order or process which was obtained, revoked;
- Demand the court fee in full.

## The Procedure

Your EX160 application will be processed within 5 working days of receipt, unless it is an emergency application. For more details on Emergency Applications see page 15 of this booklet.

**If the Court Officer allows a full remission**, the papers in the case will be processed.

**If the Court Officer allows a part remission** you will be informed of the contribution you should pay. Payment should be made within 7 days. The papers relating to your case will not be processed until the fee is received.

**If the Court Officer refuses the application**, the EX160 and supporting evidence will be returned to you telling you the reason why and stating the court fee payable.

**If you do not agree** with the Court Officer's decision, you can appeal.

## How to appeal

### What you need to do:

- Appeal in writing to the Court Manager; and
- Appeal by the date specified in the Court Officer's refusal letter (this will be approximately 14 days from the date you receive the letter); and
- Set out your grounds for appeal; and
- Enclose your evidence and any further evidence which was not available to the original officer at the time of refusal.

The Court Manager will consider your appeal and notify you of the decision within 10 working days.

- If the appeal is allowed, the Court Officer will process the EX160 and court papers.
- If the appeal is refused, the Court Manager will tell you the reasons why. You can appeal a final time to the Area Director whose name and address will be supplied.

You must follow the same procedure as set out above. The Area Director's decision is final. Alternatively, you can pay the court fee, the amount of which will be set out in the Court Manager's letter.

## Emergency applications

The Court Manager has the power to grant a full or part remission without supporting evidence on emergency matters only if:

- your evidence is not available at the time the application is being made; and
- you do not have the money to pay the court fee; and
- the interests of justice will be compromised if a delay occurs.

The Court Manager is the only person who can make the decision that an application is an emergency and their decision is final.

Matters which could be considered an emergency can include applications involving:

- Children;
- Domestic Violence;
- Injunctive provisions;
- Suspending an imminent eviction;
- Extending a time limit about to run out.

If your application is considered an emergency and you do not have the required evidence or the money to pay the court fee, you will be asked to give an undertaking.

## Undertakings

An undertaking is a promise made to the court to do something within a specified time.

The undertaking will state that you promise to:

- Supply the court with the appropriate evidence to support the EX160; or
- Pay the court fee.

This promise must be completed within 5 days of the undertaking being given.

Before giving an undertaking, you must be certain you can comply with it.

**Failure to comply** with an undertaking carries sanctions which are very serious. Failure to comply with an undertaking within the time limit can result in:

- Having the case stopped;
- Having your claim/defence struck out;
- Having the order which was obtained, revoked.

## **Multiple Party or Class Action applicants**

Where there are two or more claimants or defendants involved in the same case, they will be jointly liable for any court fees payable during the case. Each claimant or defendant will be entitled to apply for fee remission in full or in part. If one or more claimant or defendant gets a remission in full or in part, the remaining claimants or defendants (if any) will become jointly liable for the fee.

If two or more claimants or defendants gain a part remission under concession 3, their contribution amounts will be added together.

**Example 1:** Four claimants of the same case issue a claim. Three of them would qualify for a remission. The fourth claimant doesn't qualify for any remission so would have to pay the issue fee in full.

**Example 2:** Four claimants of the same case issue a claim. Two of them receive a full remission under concessions 1 and 2. The other two claimants apply under concession 3 and have to pay a contribution. Their contributions are added together as payment in part of the fee.

# Application for a fee remission

EX160

## 1. About the case

Case or claim number

What is the title or number of the form you need the court to issue?

Name of claimant(s)/petitioner(s)

Name of defendant(s)/respondent(s)

## 2. Your details

Title

 Mr  Mrs  Miss  Ms  Other 

Surname/family name

First and middle names

Address

Postcode

Date of birth

 /  /    

## 3. Full remission based on permitted benefits

Concession 1

Do you receive any of these benefits?

(Please read page 6 of the booklet for more information on how to complete this section.)

 Income Support  State Pension Guarantee Credit  
 Income-based Jobseeker's Allowance  Working Tax Credit and **not** receiving Child Tax Credit  
 None of these - **Go to section 4**

If you have ticked any one of these boxes **Go to section 6**

## 4. Full remission based on gross annual income

Concession 2

Do you have any children?  Yes  No If Yes, how many are financially dependant on you?

What is your status?

 Single person  Part of a couple

Your gross annual income

(Please read pages 9 and 10 of the booklet for more information on how to complete this section.)

	Applicant		Partner	
Paid/Self employment	£	<input type="text"/>	£	<input type="text"/>
Money from anyone living with you	£	<input type="text"/>	£	<input type="text"/>
Total pensions: state, private, occupational	£	<input type="text"/>	£	<input type="text"/>
Total benefits	£	<input type="text"/>	£	<input type="text"/>
Money from rents, shares, bonds or other financial arrangement	£	<input type="text"/>	£	<input type="text"/>
Any other income	£	<input type="text"/>	£	<input type="text"/>
<b>Total gross annual income</b>	£	<input type="text"/>	£	<input type="text"/>

Declaration

 I have read pages 9 and 10 of the guidance and confirm that my/our gross annual income  
 **Exceeds** the stated limits **Go to section 5**  **Does not** exceed the stated limits **Go to section 6**

## 5. Part remission based on monthly income and expenditure

Concession 3

This means test will establish your monthly disposable income upon which the court will determine how much of a contribution you will need to pay towards the court fee.

(Please read pages 11 to 13 of the booklet for more information on how to complete this section.)

Monthly income		Monthly expenses	
	Applicant	Partner	
<b>Net income</b>	£ <input type="text"/>	£ <input type="text"/>	<b>Housing costs</b> £ <input type="text"/>
<b>Income from people living with you</b>			<b>Fixed allowances</b>
• lodger or tenant	£ <input type="text"/>	£ <input type="text"/>	• partner £ <input type="text"/>
• non-dependant children	£ <input type="text"/>	£ <input type="text"/>	• dependant children (each child) £ <input type="text"/>
• relative	£ <input type="text"/>	£ <input type="text"/>	• general living expenses £ <input type="text"/>
<b>Pension</b>			<b>Child maintenance</b>
• state	£ <input type="text"/>	£ <input type="text"/>	• under a court order £ <input type="text"/>
• private	£ <input type="text"/>	£ <input type="text"/>	• voluntary agreement £ <input type="text"/>
• occupational	£ <input type="text"/>	£ <input type="text"/>	• Child Support Agency £ <input type="text"/>
<b>Child benefit</b>	£ <input type="text"/>	£ <input type="text"/>	<b>Child care expenses</b> £ <input type="text"/>
<b>Other benefits</b>	£ <input type="text"/>	£ <input type="text"/>	<b>Payments under a court order</b> £ <input type="text"/>
<b>Money from rents, shares, bonds or other financial arrangement</b>	£ <input type="text"/>	£ <input type="text"/>	
<b>Any other income</b>	£ <input type="text"/>	£ <input type="text"/>	
<b>Total monthly income</b>	£ <input type="text"/>	£ <input type="text"/>	<b>Total monthly expenses</b> £ <input type="text"/>

## 6. Refund

Are you applying for a refund of a court fee paid within the last six months?

Yes  No

If Yes, what is the date you paid this fee?  /  /

## 7. Declaration

You must tick each box. Doing so means that you have read and understood the declaration.

- I agree to provide documentary evidence to support my statements.
- I understand this application will be refused if I fail to provide the evidence.
- I understand that this application will be refused if I fail to disclose any relevant facts.

## 8. Statement of truth

I believe that the facts and information stated in this application are true.

Signature

Date

 /  / 

Full name

## — For the court's use only —

Name of court	<input type="text"/>	Evidence for concession	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3	<b>Compliance control</b>	
Reference number	<input type="text"/>	Court fee	£ <input type="text"/>		Signature
Form number	<input type="text"/>	Amount remitted	£ <input type="text"/>		<input type="text"/>
Signature	<input type="text"/>	Contribution	£ <input type="text"/>		Date
Band	<input type="text"/>	Date	<input type="text"/>		<input type="text"/>
		Amount to pay	£ <input type="text"/>		

[Click here to reset form](#)

[Click here to print form](#)

## Useful contacts

### Citizens Advice Bureau

Go to the CAB website below to find out your nearest branch or check the Yellow Pages.

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### Community Legal Advice

Tel: 0845 3454345

[www.clsdirect.org.uk](http://www.clsdirect.org.uk)

### Department of Work and Pensions

[www.dwp.gov.uk](http://www.dwp.gov.uk)

### Her Majesty's Courts Service

Go to the HMCS website below to find out the address and contact details of your nearest court

[www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

### Her Majesty's Revenue and Customs

Tel: 0845 3003900

[www.hmrc.gov.uk](http://www.hmrc.gov.uk)

### Jobcentre Plus

Tel: 0845 6060234

[www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

### The Pension Service

Tel: 0845 6060265

[www.pensionservice.gov.uk](http://www.pensionservice.gov.uk)

## Things to remember

- Court Officers cannot give legal advice. For free legal information, help and advice, contact Community Legal Advice or Citizens Advice Bureau (details opposite). You can also go to a Law Centre or Consumer Advice Centre, check the Yellow Pages for details.
- Seek advice from Royal Mail before sending original documents in the post. The court is not responsible for original documents it does not receive.
- Applications for fee remissions will not be approved without the required documentary evidence except when the application is deemed an emergency.
- Courts accept payment by cash, postal orders or cheques, which should be made payable to HMCS. Some magistrates' courts accept debit cards, check with your local court office.
- If you pay by cheque and it is dishonoured, the court will take steps to recover the money. Non-payment will result in your case being stayed or even struck out.