STATUTORY RULES OF NORTHERN IRELAND

2019 No. 178

FAMILY PROCEEDINGS

COURT OF JUDICATURE

COUNTY COURT

The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2019

Made - - - -	*9th September 2019*
Coming into operation	*1st October 2019*

The Department of Justice, in exercise of the powers conferred by section 116(1) and (1A) of the Judicature (Northern Ireland) Act 1978(**1**) and now vested in it(**2**), makes the following Order with the concurrence of the Department of Finance(**3**).

The Department has, in accordance with section 116(1) of that Act, consulted with the Lord Chief Justice.

Citation and commencement

1. This Order may be cited as the Family Proceedings Fees (Amendment) Order (Northern Ireland) 2019 and shall come into operation on 1st October 2019.

Amendments to the Family Proceedings Fees Order (Northern Ireland) 1996

2. The Family Proceedings Fees Order (Northern Ireland) 1996(**4**) is amended as follows.

3. In Article 4(3) (Fees payable in family proceedings) at the beginning insert "Subject to Article 10,".

4. In Article 8 (Exemptions and Refunds) at the beginning of paragraph (1) insert "Subject to Article 10,".

(**1**) 1978 c. 23 as amended by s.59 of the Justice Act (Northern Ireland) 2016 (2016 c. 21 (N.I.)).
(**2**) Article 15(1) and paragraph 6(h) of Schedule 17 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).
(**3**) Article 15(4)(b) of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976). Formerly the Department of Finance and Personnel, see the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)), Section 1(4) and Schedule 1.
(**4**) S.R. 1996 No. 495 to which relevant amendments are made by S.R. 2007 No. 381, S.R. 2007 No. 453 and S.R. 2017 No. 17.

5. After Article 9 insert—

"**Exceptions to Remissions and Exemptions**

10. No reduction or remission under Article 4(3) or exemption under Article 8 is available in respect of the fees prescribed by this Order for—

(a) copy (including a photographic copy) documents;

(b) searches, inspections and a certificate of the result of a search.".

6. For the Schedule substitute the new Schedule set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of Justice on 9th September 2019

L.S.

L.S.

Peter May
A senior officer of the Department of Justice

The Department of Finance concurs in the making of this Order.
Sealed with the Official Seal of the Department of Finance on 9th September 2019

L.S.

L.S.

Emer Morelli
A senior officer of the Department of Finance

SCHEDULE Article 6

"SCHEDULE Article 4

Fees to be taken in Family Proceedings

	Column 1	***Column 2***	***Column 3***
	Item	***Fee £***	***Document to be endorsed***
1.	Commencement of Proceedings		
(a)	On sealing an originating summons	261.00	The filed copy
(b)	On sealing any petition other than a second petition presented with leave granted under rule 2.6(3) or (3A)—		
	(i) When the petition is presented to the High Court	261.00	The filed copy
	(ii) When the petition is presented to a divorce county court or civil partnership proceedings county court	261.00	The filed copy
(c)	On filing an answer/reply to a petition/answer	130.00	The filed copy
(d)	Personal Application Fee for a matrimonial interview	65.00	The requisition

NOTE: Fees to include provision for the number of initial copies required for service

2.	Entering and Setting Down for trial in court		
	On entering or setting down any cause or matter for trial, hearing or further consideration in court, except where it is otherwise provided for in this Schedule		
(a)	High Court petition	392.00	The setting down docket

	Column 1 ***Item***	***Column 2*** ***Fee £***	***Column 3*** ***Document to be endorsed***
(b)	County Court petition	327.00	The setting down docket
3.	Certificate of Decree Absolute or Final Order		
	On filing an application for a certificate of Decree Absolute or Making Conditional Order Final	98.00	The filed copy
4.	Proceedings under the Children (Northern Ireland) Order 1995		
	On filing an application or requesting leave under the following provisions of the Children (Northern Ireland) Order 1995—		
	Parental Responsibility, Guardians, Article 8 orders		
(a)	Article 7(1)(a) or (4), 10(1) or (2), 159(1);		
	(i) High Court	130.00	
	(ii) County Court	98.00	The filed copy
(b)	Article 13(1) or 163(1)		
	(i) High Court	98.00	
	(ii) County Court	75.00	The filed copy
	Financial Provision for Children		
(c)	Paragraph 2(1), 3(1), 7(5), 16(1) of Schedule 1		The filed copy
	(i) High Court	130.00	

	Column 1 ***Item***	***Column 2*** ***Fee £***	***Column 3*** ***Document to be endorsed***
	(ii) County Court	98.00	
(d)	Paragraph 2(4), 3(5), 6(6), 7(7), 7(8), 10(2), 12(2) or 13 of Schedule 1		
	(i) High Court	98.00	
	(ii) County Court	75.00	
Secure Accommodation			
(e)	Article 44		
	(i) High Court	130.00	
	(ii) County Court	98.00	
Care, Supervision etc			
(f)	Article 50		The filed copy
	(i) High Court	130.00	
	(ii) County Court	98.00	
(g)	Article 52(7), 57(8)(b), 58(1), (2), (3) or (4), paragraph 6(3) of Schedule 3 or paragraph 10(3) of Schedule 8		The filed copy
	(i) High Court	98.00	