STATUTORY RULES OF NORTHERN IRELAND

2019 No. 177

COUNTY COURTS

The County Court 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 County Court Fees (Amendment) Order (Northern Ireland) 2019 and shall come into operation on 1st October 2019.

Amendments to the County Court Fees Order (Northern Ireland) 1996

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

3. In Article 4(5) (Fees to be taken in proceedings in county courts) at the beginning insert "Subject to Article 10,".

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

5. After Article 9 insert—

(**1**) 1978 c. 23 as amended by 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); and s.59 of the Justice Act (Northern Ireland) 2016 (2016 c.21 (N.I.)).

(**2**) Article 15(4)(b) of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).

(**3**) 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. 103 to which relevant amendments are made by S.R. 2007 No. 378 and S.R. 2017 No. 15.

"**Exceptions to Remissions and Exemptions**

10. No reduction or remission under Article 4(2) or exemption under Article 9 is available in respect of the fees prescribed by this Order for—

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

(b) searches and inspections.".

6. For Schedule 1 substitute the new Schedule 1 set out in the Schedule to this Order.

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

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.

Emer Morelli
A senior officer of the Department of Finance

SCHEDULE Article 6

"SCHEDULE 1 Article 4

Fees to be taken in proceedings in County Courts

Section I	—	Fees in respect of proceedings not otherwise specifically provided for in any subsequent section of this Schedule.
Section II	—	Fees for specified proceedings within the equity and probate jurisdiction.
Section III	—	Fees to be taken in respect of proceedings under the Licensing (Northern Ireland) Order 1996, the Registration of Clubs (Northern Ireland) Order 1996 and the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.
Section IV	—	Miscellaneous fees relating to civil proceedings and matters.
Section V	—	Fees in respect of applications for small claims under Article 30(3) of the Order.
Section VI	—	Fees to be taken in respect of proceedings under the Criminal Damage (Compensation) (Northern Ireland) Order 1977 ("the Criminal Damage Order").
Section VII	—	Fees to be taken in respect of proceedings under the Family Law Act 1986.

SECTION I

Fees to apply in respect of proceedings not otherwise specifically provided for in any subsequent section of this Schedule

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*
1	On any affidavit	No fee
2	On an attendance of an officer to produce records (in addition to the officer's expenses) for each hour or part thereof	£18.00
3	On a bond or recognizance	£65.00

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*
4	On a case stated	£195.00
5	On a certificate by a court officer (inclusive of search)	£39.00
6	On a civil bill, application or notice claiming (whether on foot of a contract or tort or by virtue of any enactment or otherwise) a sum of money or goods or chattels or any combination thereof of a value—	
	not exceeding £1000	£195.00
	exceeding £1000 but not exceeding £5000	£216.00
	exceeding £5000	£242.00
7	On a civil bill action in an ejectment action	£195.00
8	On any other civil bill	£195.00
9	On a third party notice	The same fee as on the civil bill in the action
10	On a counterclaim or set-off where the amount thereof—	
	does not exceed £1000	£195.00
	exceeding £1000 but does not exceed £5000	£216.00
	exceeds £5000	£242.00
11	On a copy, including a photographic copy, of all or any part of any document not otherwise provided for —	
	a) five sheets or less	£6.00
	b) for each sheet thereafter	£0.50
	c) on a copy order/decree including certified or sealed	£14.00
	d) on a copy order/decree produced online	£12.00

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*
12	On a decree, award, judgment, order or dismiss (other than an interlocutory order)	£98.00
13	On an interlocutory order, including an order for payment out of, or transfer or investment of, funds in court	No fee
14	On a Certificate of Readiness	£327.00
15	On a notice of appeal to a county court (not otherwise provided for)	£195.00
16	On a notice of application to the judge for payment of funds out of court	£20.00
17	On any notice or other document in an application to the Accountant General for payment out or transfer of funds and securities in court	No fee
18	In any proceedings under the Adoption (Northern Ireland) Order 1987, under that Order as modified by the Parental Orders (Human Fertilisation and Embryology) Regulations 1994 or under section 30 of the Human Fertilisation and Embryology Act 1990	£98.00
19	On a notice, petition, summons or other form of application (not otherwise provided for) initiating any proceedings	£195.00
20	On a notice of application for a review by the judge	£151.00
21	On any notice of application, summons, notice of motion or other form of application to the judge or to the district judge (not otherwise exempted or specifically provided for)	£151.00
22	a) On a search or inspection	£26.00
	b) Additional fee where the search is carried out by an Officer of the court	£14.00
23	On a witness summons	£39.00