STATUTORY RULES OF NORTHERN IRELAND

2019 No. 175

COURT OF JUDICATURE

The Court of Judicature (Non-Contentious Probate) 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 Court of Judicature (Non-Contentious Probate) Fees (Amendment) Order (Northern Ireland) 2019 and shall come into operation on 1st October 2019.

Amendments to the Court of Judicature (Non-Contentious Probate) Fees (Amendment) Order (Northern Ireland) 2019

2. The Court of Judicature (Non-Contentious Probate) Order (Northern Ireland) 1996(**4**) is amended as follows.

3. In Article 4(6) (Fees to be taken in Non-Contentious Probate matters in the Supreme Court) at the beginning insert ”Subject to Article 11,”.

4. In Article 9 (Exemptions and Refunds) at the beginning of paragraph (1) insert “Subject to Article 11,”.

5. After Article 10 insert—

(**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. 104 to which relevant amendments are made by S.R. 2007 No. 377 and S.R. 2017 No. 11.

"**Exceptions to Remissions and Exemptions**

11. No reduction or remission under Article 4(6) or exemption under Article 9 is available in respect of the fees prescribed by this Order for—

(a) copy (including a photographic copy) 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

Column 1 *Item*	*Column 2* *Fee* £	*Column 3* *Document to be endorsed*
Application for grant: general		
1. On an application for a grant (or for resealing a grant) other than an application to which Fee No. 3 applies—		The requisition
a) if the assessed value does not exceed £10,000	No fee	
b) if the assessed value exceeds £10,000	£261.00	
Personal application fee		
2. In addition to (1) on an application for a grant by a personal applicant where the value of the estate exceeds £10,000	£65.00	The requisition
Special applications		
3. On an application for—		
a) a grant in respect of an estate exempt from inheritance tax by virtue of section 154 of the Inheritance Tax Act 1984 (exemption for members of the armed forces, etc.);	£195.00	
b) a grant limited to trust property;	£195.00	
c) a duplicate grant;	£195.00	
d) any second or subsequent grant (including one following a revoked grant) in respect of the same deceased person, other than a grant preceded only by a grant limited to trust property or to a part of the estate	£195.00	The requisition