STATUTORY RULES OF NORTHERN IRELAND

2017 No. 17

FAMILY PROCEEDINGS

COURT OF JUDICATURE

COUNTY COURT

The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2017

Made - - - - 16th January 2017

Coming into operation in accordance with Article 1

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, commencement and interpretation

1.—(1) This Order may be cited as the Family Proceedings Fees (Amendment) Order (Northern Ireland) 2017.

(2) Articles 1 and 3 shall come into operation on 1st April 2017.

(3) Article 2 shall come into operation immediately after the coming into operation of the Universal Credit Regulations (Northern Ireland) 2016(**4**).

(4) In this Order "the principal Order" means the Family Proceedings Fees Order (Northern Ireland) 1996(**5**).

(**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. 2016 No. 216.
(**5**) S.R. 1996 No. 495 to which relevant amendments are made by S.R. 2007 No. 381 and S.R. 2007 No. 453.

Amendments to the principal Order

2. In Article 8(2) (Exemptions and refunds) of the principal Order—

(a) at the end of sub-paragraph (d) for "." substitute ";"; and

(b) after sub-paragraph (d) insert—

"(e) universal credit paid under Part 2 of the Welfare Reform (Northern Ireland) Order 2015(**6**).".

Amendments to the principal Order

3. For the Schedule to the principal Order there shall be substituted the new Schedule set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of Justice on 16th January 2017

L.S.

Claire Sugden
Minister of Justice

The Department of Finance concurs in the making of this Order.
Sealed with the Official Seal of the Department of Finance on 16th January 2017

L.S.

Emer Morelli
A senior officer of the
Department of Finance

(**6**) 2015 No. 2006 (N.I. 1).

SCHEDULE Article 3

"SCHEDULE Article 4

Fees to be taken in Family Proceedings

Column 1 Item			Column 2 Fee £			Column 3 Document to be endorsed
			As from 01/04/17	As from 01/04/18	As from 01/04/19	
1.	Commencement of Proceedings					
	(a)	On sealing an originating summons	220.00	237.00	249.00	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	220.00	237.00	249.00	The filed copy
		(ii) When the petition is presented to a divorce county court or civil partnership proceedings county court	220.00	237.00	249.00	The filed copy
	(c)	On filing an answer/ reply to a petition/ answer	110.00	118.00	124.00	The filed copy
	(d)	Personal Application Fee for a matrimonial interview	55.00	59.00	62.00	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	330.00	355.00	373.00	The setting down docket

Column 1 Item			Column 2 Fee £		Column 3 Document to be endorsed
	(b) County Court petition	275.00	296.00	311.00	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	83.00	89.00	93.00	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	110.00	118.00	124.00	
	(ii) County Court	83.00	89.00	93.00	The filed copy
	(b) Article 13(1) or 163(1)				
	(i) High Court	83.00	89.00	93.00	
	(ii) County Court	63.00	68.00	71.00	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	110.00	118.00	124.00	
	(ii) County Court	83.00	89.00	93.00	
	(d) Paragraph 2(4), 3(5), 6(6), 7(7), 7(8), 10(2), 12(2) or 13 of Schedule 1				
	(i) High Court	83.00	89.00	93.00	
	(ii) County Court	63.00	68.00	71.00	
	Secure Accommodation				

Column 1 Item		Column 2 Fee £			Column 3 Document to be endorsed
(e)	Article 44				
	(i) High Court	110.00	118.00	124.00	
	(ii) County Court	83.00	89.00	93.00	
Care, Supervision etc					
(f)	Article 50				The filed copy
	(i) High Court	110.00	118.00	124.00	
	(ii) County Court	83.00	89.00	93.00	
(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	83.00	89.00	93.00	
	(ii) County Court	63.00	68.00	71.00	
Contact with child in care					
(h)	Article 53(2), (3), (4) or (9)				The filed copy
	(i) High Court	83.00	89.00	93.00	
	(ii) County Court	63.00	68.00	71.00	
Placement abroad					
(i)	Article 33(1)				The filed copy
	(i) High Court	83.00	89.00	93.00	
	(ii) County Court	63.00	68.00	71.00	
Education Supervision					
(j)	Article 55(1)				The filed copy
	(i) High Court	110.00	118.00	124.00	
	(ii) County Court	83.00	89.00	93.00	
(k)	Paragraph 5(2) or 7(1) of Schedule 4				The filed copy
	(i) High Court	83.00	89.00	93.00	
	(ii) County Court	63.00	68.00	71.00	
Child Assessment					
(l)	Article 62(1)				The filed copy
	(i) High Court	110.00	118.00	124.00	