STATUTORY RULES OF NORTHERN IRELAND

2017 No. 15

COUNTY COURTS

The County Court 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 County Court 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 County Court Fees Order (Northern Ireland) 1996(**5**).

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—

(**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. 2016 No. 216.

(**5**) S.R. 1996 No. 103 to which relevant amendments are made by S.R. 2007 No. 378.

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

3. For Schedule 1 to the principal Order there shall be substituted the new Schedule 1 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 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*		
		As from 01/04/17	As from 01/04/18	As from 01/04/19
1	On any affidavit	No fee	No fee	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	£15.00	£16.00	£17.00
3	On a bond or recognizance	£55.00	£59.00	£62.00
4	On a case stated	£165.00	£177.00	£186.00
5	On a certificate by a court officer (inclusive of search)	£33.00	£35.00	£37.00
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—			

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*		
	not exceeding £1000	£165.00	£177.00	£186.00
	exceeding £1000 but not exceeding £5000	£182.00	£196.00	£206.00
	exceeding £5000	£204.00	£219.00	£230.00
7	On a civil bill action in an ejectment action	£165.00	£177.00	£186.00
8	On any other civil bill	£165.00	£177.00	£186.00
9	On a third party notice	The same fee as on the civil bill in the action	The same fee as on the civil bill in the action	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	£165.00	£177.00	£186.00
	exceeding £1000 but does not exceed £5000	£182.00	£196.00	£206.00
	exceeds £5000	£204.00	£219.00	£230.00
11	On a copy, including a photographic copy, of all or any part of any document filed or any record kept in the office (including comparison)—			
	a) for five sheets or less	£6.00	£6.00	£6.00
	b) for each sheet thereafter	£0.50	£0.50	£0.50
	c) on a copy order/decree including certified or sealed	£11.00	£12.00	£13.00
	d) on a copy order/decree produced online	£9.00	£10.00	£11.00
12	On a decree, award, judgment, order or dismiss (other than an interlocutory order)	£83.00	£89.00	£93.00
13	On an interlocutory order, including an order for payment out of, or transfer or investment of, funds in court	No fee	No fee	No fee
14	On a Certificate of Readiness	£275.00	£296.00	£311.00
15	On a notice of appeal to a county court (not otherwise provided for)	£165.00	£177.00	£186.00
16	On a notice of application to the judge for payment of funds out of court	£17.00	£18.00	£19.00

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*		
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	No fee	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	£83.00	£89.00	£93.00
19	On a notice, petition, summons or other form of application (not otherwise provided for) initiating any proceedings	£165.00	£177.00	£186.00
20	On a notice of application for a review by the judge	£127.00	£137.00	£144.00
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)	£127.00	£137.00	£144.00
22	a) On a search or inspection	£22.00	£24.00	£25.00
	b) Additional fee where the search is carried out by an Officer of the court	£11.00	£12.00	£13.00
23	On a witness summons	£33.00	£35.00	£37.00
24	On a certificate of application for discovery	£55.00	£59.00	£62.00
25	Entry of a remitted action where a setting down fee has not already been paid	£275.00	£296.00	£311.00

Note: In the application of item 6 to proceedings under the Judgments Enforcement (Northern Ireland) Order 1981 the fee on an Enforcement Civil Bill shall be the same as is payable on a civil bill for the amount claimed; and on a Committal Civil Bill shall be the same as for a civil bill for the amount of the instalment.